

AMERICAN LEGISLATIVE EXCHANGE COUNCIL

MEMORANDUM

TO: PUBLIC SAFETY AND ELECTIONS TASK FORCE MEMBERS
FROM: COURTNEY O'BRIEN, TASK FORCE DIRECTOR
DATE: MARCH 31, 2011
RE: 35 DAY MAILING—2011 SPRING TASK FORCE SUMMIT

The American Legislative Exchange Council will host its 2011 Spring Task Force Summit **April 28-29** at the **Hilton Cincinnati Netherland Plaza in Cincinnati, Ohio**. The Hilton Cincinnati Netherland Plaza has extended the hotel reservation cut-off deadline until April 6th (register [here](#)).

The Public Safety and Elections Task Force will meet in **Room Caprice 1&4** from **12:30 – 5:00 pm on Friday, April 29th**. From 12:30-1:30 pm we will meet for a Task Force luncheon and presentation on Overcriminalization: “**Not a Fair Fight: The Perils of Vague Criminal Statutes**.” This presentation will discuss the proliferation of criminal law which has produced scores of criminal offenses that lack adequate “*mens rea*” (criminal intent) requirements. This discussion will provide legislators solutions to this attack on individual liberty and economic growth in their state. Speakers are: Shana-Tara Regon, *National Association of Criminal Defense Lawyers* and Brian Walsh, *Heritage Foundation*.

The Task Force will then convene from 2-5pm to consider model legislation and resolutions on DNA Testing, Law Enforcement Safety Equipment Funding, Civil Liability Relief for Employers Hiring Ex-Offenders, and Criminal Intent Protections. We will also have a presentation on Photo Enforcement and Road Safety.

The Sexual Predators Subcommittee will also meet from 9-10 am on Friday, April 29 in **Room: Caprice1&4** to discuss the Adam Walsh Child Protection Act and state compliance. All Task Force Members are encouraged to attend.

Please find the following materials enclosed:

- PSE Task Force Overview
- STFS Agenda-at-a-Glance
- Task Force Luncheon Invitation
- Task Force Meeting Tentative Agenda
- Sexual Predators Subcommittee Meeting Tentative Agenda
- 2010 States and Nations Policy Summit Minutes
- Draft Model Legislation
- Task Force Roster
- ALEC Mission Statement
- Scholarship Policies by Meeting
- STFS Registration Forms
- ALEC Task Force Operating Procedures

I look forward to seeing all of you in Cincinnati, Ohio! If you have any questions or comments regarding the meeting, please contact me at 202-742-8504 or by e-mail at cobrien@alec.org.

Sincerely,



Courtney O'Brien
Public Safety and Elections Task Force Director

Public Safety and Elections Task Force

2011 Overview

www.alec.org/publicsafety

Task Force Mission Statement:

The Public Safety and Elections Task Force is dedicated to developing model policies that reduce crime and violence in our cities and neighborhoods; while also focusing on developing policies to ensure integrity and efficiency in our elections, and within our systems of government.

Public Sector Chair: Rep. Jerry Madden, TX

Private Sector Chair: Ms. Stacie Rumenap, *Stop Child Predators*

Executive Committee Members:

To be appointed March/April 2011

Task Force Subcommittees:

- Corrections and Reentry Working Group
- Elections and Ethics Subcommittee
- Redistricting Subcommittee
- Ethics Working Group*

Issue Areas:

- Bail
- Commercial Theft
- Courts and Sentencing
- Corrections and Reentry
- Crimes Against Children
- Drugs
- Elections & Ethics
- Felons
- Financial Crimes
- Firearms
- Homeland Security
- Juveniles
- Prisons
- Protecting Personal Information
- Underage Drinking
- Vehicular Misconduct/Enforcement
- Victims' Rights

Recent Model Legislation:

Resolution in Support of Victim-Offender Mediation - Victim Offender Mediation is a face-to-face meeting, in the presence of a trained mediator, between the victim of a crime and the

person who committed that crime. This Resolution encourages states to establish victim-offender mediation policies or to promote the availability and utilization of such an option if it already exists.

Swift and Certain Sanctions Act - For states to deliver swift, certain and proportionate responses to violations of probation and parole, they need an array of institutional and community-based sanctions as well as the authority to assign—and reassign—offenders to those sanctions. This Act requires community corrections agencies to adopt a set of graduated sanctions and rewards to respond to violations and compliance with the conditions of supervision. This Act also establishes authority for agencies to impose graduated sanctions and rewards through an administrative process.

Resolution in Support of Justice Reinvestment – Justice reinvestment has helped states around the nation cut costs dramatically through intervention, education, treatment, and intense supervision to identify those at the highest risk to commit crime. This resolution supports any policies which would use these proven methods to reduce spending on corrections and reduce recidivism.

Resolution in Support of the Citizens United Decision - This Resolution emphasizes the importance of first amendment protections of corporations', non-profit advocacy groups', and labor organizations' speech. The resolution warns that mandatory disclosure and disclaimer requirements, particularly relating to an organization's source of funding, can be intimidating to such organizations and inhibit free speech.

Future Direction for Task Force:

The future of the Task Force will be driven by our membership, the political climate, and the top policy issues of the day. Our subcommittees and working groups present an exciting opportunity within the Task Force to specialize in top issues for 2011: Commercial Bail, Corrections Costs, Offender Reentry, Victim Restitution, Overcriminalization, Forensic DNA Testing, Redistricting, the National Popular Vote, Ethics Laws, etc.

Meeting Dates:

Spring Task Force Summit, Cincinnati, OH
April 28-29, 2011

ALEC's 38th Annual Meeting, New Orleans, LA
August 3-6, 2011

States & Nation Policy Summit, Scottsdale, AZ
November 30-December 2, 2011

Task Force Publications:

Public Safety Issue (Inside ALEC, 2011,
http://www.alec.org/AM/pdf/insidealec/InsideALEC_Feb2011_FINALpdf.pdf)
Public Safety and Elections Issue (Inside ALEC, 2010,
http://www.alec.org/AM/PDF/InsideALEC/InsideALEC_June10_Final.pdf)
Criminals on the Street: A Citizen's Right to Know (State Factor, 2009)
A Plan to Reduce Prison Overcrowding and Violent Crime (State Factor, 2007)

Staff Contact Info:

Courtney O'Brien
Task Force Director
202-742-8504
cobrien@alec.org

Rob Shrum
Membership Department Contact
Director of Corporate and Non-Profit Relations
(202) 742-8512
rshrum@alec.org

* To be proposed to the Public Safety and Elections Task Force as a new working group, and voted on by the Task Force, in 2011.

2011 ALEC Spring Task Force Summit

Tentative Agenda as of March 2011

Thursday, April 28

Registration 1:00 p.m. - 5:30 p.m.

Friday, April 29

Registration 8:00 a.m. - 4:00 p.m.

ALEC Joint Board of Directors Meeting 8:00 a.m. - 12:15 p.m.

Task Force Subcommittee Meetings 8:00 a.m. - 11:00 a.m.

Workshop: Budget Transparency 11:00 a.m. - 12:15 p.m.

Task Force Meetings 12:30 p.m. - 5:00 p.m.

- Civil Justice
- Commerce, Insurance
and Economic Development
- Education
- Energy, Environment and Agriculture
- Health and Human Services
- Public Safety and Elections
- Tax and Fiscal Policy
- Telecommunications
and Information Technology

Spring Task Force Summit Reception 5:00 p.m. - 6:30 p.m.

Board of Directors Dinner 7:00 p.m. - 9:00 p.m.

(by invitation only)



The American Legislative Exchange Council

Cordially invites our Public Safety and Elections Task Force Members to a Luncheon:

“Not a Fair Fight: The Perils of Vague Criminal Statutes”

A presentation to discuss the proliferation of criminal law which has produced scores of criminal offenses that lack adequate “*mens rea*” (criminal intent) requirements. This discussion will provide legislators solutions to this attack on individual liberty and economic growth in their state.

Featuring:

Shana-Tara Regon

National Association of Criminal Defense Lawyers

Director of White Collar Crime Policy

&

Brian Walsh

The Heritage Foundation

Senior Legal Research Fellow, Center for Legal and Judicial Studies

Friday, April 29, 2011

12:30 pm – 1:30 pm

Room: Caprice 1&4



**Public Safety and Elections Task Force
2011 Spring Task Force Summit
Friday, April 29
2:00 PM – 5:00 PM
Room: Caprice 1&4
Tentative Agenda**

1. Call to Order 2:00 PM

Attendance

Approval of Minutes

Subcommittee Report – Adam Walsh Child Protection and Safety Act (10)

Sexual Predators Subcommittee Chairs

2. Presentations and Model Legislation

UPDATE: Wisconsin Politics (5) 2:30 PM

Rep. Scott Suder, *WI*

“Law Enforcement Officer Safety Equipment Fund Act” 2:35 PM

Mr. Peter Holran, *TASER*

“Criminal Intent Protection Act”

Mr. Marc Levin, *Texas Public Policy Foundation*

“The Treating Accused Persons Fairly Act”

Mr. Marc Levin, *Texas Public Policy Foundation*

“Civil Liability Relief for Employers Hiring Ex-Offenders Act”

Mr. Marc Levin, *Texas Public Policy Foundation*

PRESENTATION: “Photo Enforcement: Innovative solutions for enhancing road safety, reducing injuries and saving lives” (30)

Mr. George J. Hittner, *American Traffic Solutions* and Former Speaker Pro Tem of the Florida House of Representatives, Rep. Ron Reagan (RET), *National Coalition for Safer Roads*

“ALEC Resolution on DNA Testing and Victims’ Rights”

Dr. Jeff Boschwitz, *Orchid Cellmark*

“Resolution Supporting Childbirth Protection”

Ms. Kristi Turner, *Justice Fellowship*

“Childbirth Protection Act”

Ms. Kristi Turner, *Justice Fellowship*

“Resolution Regarding Prison Populations and Redistricting”

Mr. Sean Parnell, *Center for Competitive Politics*

3. For the Good of the Order 4:50 PM

4. Adjournment 5:00 PM



**Sexual Predators Subcommittee
2011 Spring Task Force Summit
Friday, April 29
9am – 10am
Room: Caprice 1&4**

Tentative Agenda

- 9:00 a.m. Welcome and Introductions**
Private Sector Chair: Ms. Stacie Rumenap, *Stop Child Predators*
- 9:05 a.m. Adam Walsh Child Protection Act**
- Discussion:** The Adam Walsh Child Protection and Safety Act of 2006 is a federal statute that was enacted on July 27, 2006 and requires states to comply by July 2011. The Subcommittee will discuss details of the Act and state compliance.
- 9:50 a.m. For the Good of the Order**
- 10:00 a.m. Adjournment**

American Legislative Exchange Council
Public Safety & Elections Task Force
2010 States and Nation Policy Summit
December 2, 2010

Attendees:

Public Sector (17)

Rep. Paul Ray, *Utah* (Public Sector Chair)
Sen. Raymond E. Cleary, *South Carolina*
Sen. Scott Fitzgerald, *Wisconsin*
Sen. Margaret Flory, *Vermont*
Rep. Daniel Greenberg, *Arkansas*
Rep. Chris Herrod, *Utah*
Rep. Renee Kosel, *Illinois*
Rep. Jerry Madden, *Texas*
Rep. Daryl Metcalfe, *Pennsylvania*
Rep. Valentine B. Rausch, *South Dakota*
Rep. Tom Rice, *Georgia*
Rep. Scott Suder, *Wisconsin*
Rep. Jerry Turner, *Mississippi*
Rep. Jordan Ulery, *New Hampshire*
Rep. C. Gene Whisnant, *Oregon*
Rep. Carl Wimmer, *Utah*
Sen. Kevin Witkos, *Connecticut*

Private Sector (10)

Stacie Rumenap, *Stop Child Predators* (Stand-in Private Sector Chair)
Dennis Bartlett, *American Bail Coalition*
David Christman, *National Beef Wholesalers Association*
Trent England, *Evergreen Freedom Foundation*
Steve Gross, *Wine Institute*
Eli Lehrer, *The Heartland Institute* (Task Force Advisor)
Marc Levin, *Texas Public Policy Foundation*
Chris Oswald, *Reed Elsevier*
Sean Parnell, *Center for Competitive Politics*
Kristi Turner, *Prison Fellowship*

Guests (9)

Del. John Cosgrove, *Virginia*
Rep. Joshua Evans, *Tennessee*
Rep. Craig Frank, *Utah*
Assb. Doug Gustavson, *Montana*
Rep. Jim Jackson, *Texas*
Rep. Doug Kary, *Montana*
Mike Mann, *NC Bail Agents*
Rep. John Rubin, *Kansas*
Rep. Joseph Thomas, *New Hampshire*

I. Preliminaries

The task force approved the minutes of the August meeting by a unanimous voice vote.

II. Subcommittee Reports

1. Corrections and Reentry – Rep. Jerry Madden, TX

The working group met and voted on the *Resolution in Support of Victim Offender Mediation*, the *Resolution Supporting Childbirth Protection*, the *Childbirth Protection Act*, and the *Earned Compliance Credit Act*.

2. Redistricting Working Group

Motion to form a Redistricting Working Group, chaired by Representative Paul Ray (UT); passed the public sector unanimously; passed the private sector unanimously.
Working Group Formed.

III. Presentations

1. Redistricting- Mr. E. Mark Braden, *Baker Hostetler*

2. Electoral College Update- Mr. Trent England, *Evergreen Freedom Foundation*

3. Bail and Pretrial Release- Dr. Dennis Bartlett, American Bail Coalition

IV. Consideration of Model Legislation

1. “Resolution in Opposition to Pay-to-Play Legislation” – by Mr. Sean Parnell, *Center for Competitive Politics*

This resolution opposes pay-to-play systems at any level of government as such systems are violations of the First Amendment right of citizens, corporations, and labor organizations to exercise free speech in the form of campaign contributions. It recommends instead that a system which relies upon an open, fair, and transparent contract bidding process be pursued.

Motion to adopt the model resolution; passed the public sector unanimously; passed the private sector unanimously. **Resolution Passed.**

2. “Resolution Regarding Prison Populations and Redistricting”- by Mr. Sean Parnell, *Center for Competitive Politics*

This resolution opposes the practice of prison-based gerrymandering and encourages states to count prisoners as members of their pre-incarceration communities for the purposes of redistricting.

Motion to table the model resolution; passed the public sector unanimously; passed the private sector unanimously. **Resolution Tabled.**

3. “Resolution in Support of Victim Offender Mediation”- by Mr. Marc Levin, *Texas Public Policy Foundation*

Victim Offender Mediation is a face-to-face meeting, in the presence of a trained mediator, between the victim of a crime and the person who committed that crime. Used mostly in cases of low-level property offenses and first-time offenders, this method allows the victim and the offender to settle their case out of court, thus saving taxpayers’ money on court costs, providing greater closure and restitution for the victim, and reducing recidivism by instilling in the offender a strong sense of the actual harm they caused to another individual. This Resolution encourages states to establish victim-offender mediation policies or to promote the availability and utilization of such an option if it already exists.

Motion to adopt the model resolution; passed the public sector unanimously; passed the private sector unanimously. **Resolution Passed.**

4. “Resolution Supporting Childbirth Protection” - by Ms. Kristi Turner, *Justice Fellowship*

This Resolution calls for an end to the practice of shackling pregnant inmates.

Corrections and Reentry Working Group Amendments in order of introduction:

- 1) Lines 13-15, strike: “WHEREAS, there are...necessary; and”
- 2) Line 27, insert: “THEREFORE BE IT RESOLVED that ALEC believes” prior to “there are rare occasions”
- 3) Lines 28-29, strike: “by a medical or mental health professional”
- 4) Line 30, insert: “FURTHER” between “BE IT” and “RESOLVED” and insert “ALEC” following “that” and between “supports”
- 5) Line 31, insert: “in labor and delivery” following “who are”
- 6) Line 32, strike: “inhumane”

Motion to pass the Amendments (1-6) as recommended by the Corrections and Reentry Working Group; passed the public sector unanimously; passed the private sector unanimously. Amendments passed.

Public Safety and Elections Task Force Amendments in order of introduction:

- 1) Line 4, strike: “an end” and insert: “a limit”
- 2) Line 23, strike: “outlaws” and insert: “limits”
- 3) Line 31, strike: “end” and insert: “limit”

Motion to pass Amendments (1-3); passed the public sector; passed the private sector. Amendments passed.

Motion to table the model resolution; passed the public sector; failed the private sector. Motion to table failed.

Motion to send the model resolution to the Corrections and Reentry Working Group for further review; passed the public sector; passed the private sector.

Motion to send to the Corrections and Reentry Working Group passed.

5. “Childbirth Protection Act” – by Ms. Kristi Turner, *Justice Fellowship*

Relating to use of restraints on pregnant inmates, defendants and detainees who are in labor, delivering a baby or in post-partum recovery; prohibiting such use except under certain circumstances; and allowing for the presence of medical or infirmity staff during post-partum strip search upon return to prison, jail or detention facility.

Motion to table the model legislation; passed the public sector unanimously; passed the private sector unanimously. **Bill Tabled.**

6. “Earned Compliance Credit Act” – by Rep. Jerry Madden, *TX*

For corrections agencies to efficiently allocate supervision, they must have the authority to focus their staff, services and sanctions on higher-risk offenders. To do so without additional funding, agencies need to be able to move lower-risk probationers and parolees to less-intensive levels of supervision—or off of supervision altogether—if they are fulfilling their obligations and conditions, including paying restitution. This act creates an “earned compliance credit” that would reduce the time that low-risk, non-violent offenders are on active supervision by 15 days for each month that they are in full compliance with their conditions of supervision, including payment of restitution to crime victims. After an offender has paid all outstanding restitution, fines and fees, the court or the releasing authority determined by each state, may reduce the period of supervision by the amount of credit earned.

Motion to adopt the model legislation as amended; passed the public sector; passed the private sector. **Bill Passed.**

IV. For the Good of the Order

V. Adjournment

DRAFT Law Enforcement Officer Safety Equipment Fund

Summary

The Act establishes a dedicated state law enforcement officer safety equipment fund to assist departments of public safety with the purchase of law enforcement officer safety equipment such as ballistic vests, electronic stun devices, on-officer cameras and surveillance equipment, and other law enforcement officer safety equipment. The Act also establishes an assessment to be levied on every civil penalty or fine imposed and collected by the courts that is a result of a citation issued by a peace officer for a civil traffic violation, a violation of a misdemeanor offense or any local ordinance relating to stopping, standing or operating a vehicle. This assessment will be equally divided between the state law enforcement officer safety equipment fund and the local agency that issues the citation.

Model Legislation

{Title, enacting clause, etc.}

Section 1. {Title.} This Act may be cited as the “Law Enforcement Officer Safety Equipment Fund”

Section 2. {Congressional purpose.}

(A) The "law enforcement officer safety equipment fund" is created in the state treasury to be administered by the department of public safety. Interest earned on money in the fund shall be credited to the fund. Balances in the fund shall not revert at the end of any fiscal year.

(B) The law enforcement officer safety equipment fund consists of law enforcement officer safety equipment fees collected pursuant to the provisions of Section 2. from persons convicted or found responsible for a civil traffic violation, a violation of a misdemeanor offense or any local ordinance relating to stopping, standing or operating a vehicle, and any appropriations, gifts, grants or donations.

(C) All balances in the law enforcement officer safety equipment fund are subject to appropriation to the department of public safety for the purchase of law enforcement officer safety equipment such as ballistic vests, electronic stun devices, on-officer cameras and surveillance equipment, and other law enforcement officer safety equipment.

Section 3. {Assessment; Law Enforcement Officer Safety Equipment Fund.}

(A) In addition to any other penalty, fine, fee or assessment authorized by law, an additional

assessment of ten (10) dollars shall be levied on every civil penalty or fine imposed and collected by the courts that is a result of a citation issued by a peace officer for a civil traffic violation, a violation of a misdemeanor offense or any local ordinance relating to stopping, standing or operating a vehicle. This assessment is not subject to any surcharge.

(B) The court in which the conviction or finding of responsibility occurred shall transit the assessment to the appropriate county or city treasurer. The city or county treasurer shall transmit fifty (50) percent of the monies collected through the assessment to the state treasurer. The state treasurer shall deposit these monies in the Public Safety Equipment Fund. The city or county treasurer shall transmit the other fifty (50) percent of the monies collected to the municipal treasurer in the jurisdiction of the law enforcement agency that issues the citation. The municipal treasurer shall transmit these monies to the law enforcement agency that issued the citation to be used to supplement, not supplant, monies available for protective armor or ballistic vests, electronic stun devices, on-officer camera and surveillance equipment, and other law enforcement officer safety equipment.

Section 4. {Severability clause.}

Section 5. {Repealer clause.}

Section 6. {Effective date.}

DRAFT Criminal Intent Protection Act
Revised as of 3.30.11

Summary

To protect persons from unjust punishment under vague or ambiguous criminal offenses by codifying default rules of application for criminal intent (*mens rea*) requirements within criminal law.

Model Legislation

{Title, enacting clause, etc.}

Section 1. {Title.} This Act may be cited as the “The Criminal Intent Protection Act.”

Section 2. {Legislative Purpose and Findings.}

The purpose of this Act is to enact default rules of application to ensure that criminal intent (*mens rea*) requirements are adequate to protect persons against unjust charges and convictions where the law has heretofore failed to clearly and expressly set forth the criminal intent (*mens rea*) requirements in the text defining the offense or penalty.

Section 3. {Culpability Requirements.}

(A) Culpability Requirements.

(1) The provisions of this section shall apply to any criminal offense or penalty.

(2) Criminal Intent Required Unless Otherwise Provided – When the language defining a criminal offense or penalty does not specify the criminal intent required to establish an element of the offense or penalty, then such element shall be established only if a person acts:

(a) with the conscious object to engage in conduct of the nature constituting the element;

(b) with the conscious object to cause such a result required by the element;

(c) with an awareness of the existence of any attendant circumstances required by the element or with the belief or hope that such circumstances exist; and

(d) with either specific intent to violate the law or with knowledge that the person’s conduct is unlawful.

(3) Prescribed Criminal Intent Requirement Applies To All Elements – When the language defining a criminal offense or penalty specifies the

criminal intent required to establish commission of an offense or imposition of a penalty without specifying the particular elements to which the criminal intent requirement applies, such criminal intent requirement shall apply to all elements of the offense or penalty, including jurisdictional elements.

(4) For the purposes of this section, the following definitions apply:

(a) The term “criminal offense” shall include any portion of a statute, rule, or guidance that defines one or more elements of a violation of law that may be punished by a criminal penalty.

(b) The term “penalty” shall include any criminal fine, criminal restitution, criminal forfeiture, term of imprisonment or confinement, probation, debarment, or sentence of death imposed upon a defendant by the authority of the law and the judgment and sentence of a court.

(c) The terms “person,” “he,” and “actor” shall include any natural person, corporation, or unincorporated association.

(d) The term “rule” shall have the definition set forth in section _____ of this title and shall include any interpretive rule, guidance, or other agency publication that may have the effect of altering the scope of state criminal liability of any person or entity, but shall not include any order issued as part of an adjudication under section _____ of this title.

(e) The term “guidance” shall include any guidance, interpretative statement, or binding enforcement policy issued by any agency.

(f) The term “agency” shall have the definition set forth in Title 5, United States Code, Section 551(1) [or cite to state equivalent if applicable].

(g) The term “element” shall mean (i) such conduct, (ii) such attendant circumstances, or (iii) such a result of conduct as:

(i) is included in the description of the forbidden conduct in the definition of the offense; or

(ii) establishes the required kind of culpability; or

(iii) negatives an excuse or justification for such conduct; or

(iv) negatives a defense under the statute of limitations; or

(v) establishes jurisdiction or venue.

Section 4. {Severability clause.}

93 If any provision of this [Act] or the application thereof to any person or
94 circumstance is held unconstitutional or otherwise invalid, the remaining
95 provisions of this [Act] and the application of such provisions to other persons or
96 circumstances shall not be affected thereby.

97

98 **Section 5. {Repealer clause.}**

99

100 **Section 6. {Effective date.}**

101

102

103

DRAFT The Treating Accused Persons Fairly Act
Revised as of 3.30.11

Summary

To protect persons from unjust criminal punishment for alleged violations of vague and unclear offenses by codifying the common-law rule of lenity and safeguarding due process rights.

Model Legislation

{Title, enacting clause, etc.}

Section 1. {Title.} This Act may be cited as “The Treating Accused Persons Fairly Act of 2011”

Section 2. {Congressional Purpose.}

The purpose of this Act is to reduce the risk of injustice stemming from State and local criminal offenses and penalties that are vague or unclear. The [Legislature or General Assembly] intends to protect against such injustice by codifying the long-established rule of lenity and reinforce the principle of fair notice, which mandates that no conduct should be punished criminally by the government without sufficient notice that such conduct is unlawful.

Section 3. {Rules of Construction for Provisions of Law Defining Criminal Offenses or Penalties}

(A) Rules of construction for provisions of law defining criminal offenses or penalties.

(1) Any provision of law defining criminal offenses or penalties, including but not limited to any statute, rule, or sentencing guideline that is:

(a) susceptible of more than one objectively reasonable interpretation in any aspect, including, but not limited to;

(i) the scope or definition of the prohibited conduct;

(ii) the element or elements that must be proved;

(iii) the *mens rea* that must be proved; or

(iv) the penalty to be imposed

shall be strictly construed against the government and construed in favor of the accused.

(2) For the purposes of this section, the following definitions apply:

(a) The term “criminal offense” shall include any portion of a state statute, rule, or guidance that defines one or more elements of a violation of law that may be punished by a criminal penalty.

(b) The term “penalty” shall include any criminal fine, criminal restitution, criminal forfeiture, term of imprisonment or confinement, probation, debarment, or sentence of death imposed upon a defendant by the authority of the law and the judgment and sentence of a court.

(c) The terms “person” or “accused” shall include any natural person and, where relevant, a corporation or an unincorporated association.

(d) The term “rule” shall have the definition set forth in section ____ of this title and shall include any interpretive rule, guidance, or other agency publication that may have the effect of altering the scope of state criminal liability of any person or entity, but shall not include any order issued as part of an adjudication under section ____ of this title.

Section 4. {Severability clause.}

If any provision of this Act or the application thereof to any person or circumstance is held unconstitutional or otherwise invalid, the remaining provisions of this Act and the application of such provisions to other persons or circumstances shall not be affected thereby.

Section 5. {Repealer clause.}

Section 6. {Effective date.}

DRAFT Civil Liability for Employers Hiring Ex-Offenders Act

Summary

This legislation would immunize employers who hire ex-offenders without a violent or sex offense from being sued on that basis alone.

Model Legislation

{Title, enacting clause, etc.}

Section 1. {Title.} This Act may be cited as the “Civil Liability for Employers Hiring Ex-Offenders Act.”

Section 2. {Limitations on Liability for Hiring Employee or Independent Contractor Convicted of a Nonviolent, Non-sexual Offense.}

(A) A cause of action may not be brought against an employer, general contractor, premises owner, or other third party solely for hiring an employee or independent contractor who has been convicted of a nonviolent, non-sexual offense.

(B) In a negligent hiring action against an employer, general contractor, premises owner, or other third party for the acts of an employee or independent contractor that is based on a theory of liability other than that described by Subsection (a), the fact that the employee or independent contractor was convicted of a nonviolent, non-sexual offense before the employee or independent contractor's employment or contractual obligation with the employer, general contractor, premises owner, or other third party, as applicable, may not be introduced into evidence.

(C) This section does not preclude any existing cause of action for failure of an employer or other person to provide adequate supervision of an employee or independent contractor, except that the fact that the employee or independent contractor has been convicted of a nonviolent, non-sexual criminal offense may be introduced into evidence in the suit only if the employer:

- (1) knew of the conviction or was grossly negligent in not knowing of the conviction; and
- (2) the conviction was directly related to the nature of the employee's or independent contractor's work and the conduct that gave rise to the alleged injury that is the basis of the suit.

(D) The protections provided to an employer, general contractor, premises owner, or third party under this section do not apply in a suit concerning:

- (1) the misuse of funds or property of a person other than the employer, general contractor, premises owner, or third party, by an employee or

independent contractor, if, on the date the employee or independent contractor was hired, the employee or independent contractor had been convicted of a crime that includes fraud or the misuse of funds or property as an element of the offense, and it was foreseeable that the position for which the employee or independent contractor was hired would involve discharging a fiduciary responsibility in the management of funds or property;

(2) the misappropriation of funds by an employee or independent contractor, if the employee or independent contractor was hired as an attorney and, on the date the employee or independent contractor was hired, the employee or independent contractor had been convicted of a crime that includes fraud or the misuse of funds or property as an element of the offense; or

(3) a violent offense or an improper use of excessive force by an employee or independent contractor, if the employee or independent contractor was hired to serve as a law enforcement officer or security guard.

Section 3. {No Implication of Liability in Situations Not Covered by This Legislation.}

(A) This enactment shall not be interpreted as implying a cause of action exists for negligent hiring of an ex-offender in factual situations not covered by this enactment. In deciding whether liability exists in such cases, courts shall not presume that, because they are not covered in the protection herein, there is an legislative intent expressed through the passage of this enactment to extend liability in such cases where it is not already established.

Section 4. {Severability clause.}

Section 5. {Repealer clause.}

Section 6. {Effective date.}

DRAFT ALEC Resolution on DNA Testing and Victims' Rights

Summary

A Resolution supporting states require all sexual assault kits collected (where the case meets the criteria for CODIS (Combined DNA Index System) eligibility) are tested for DNA.

Model Resolution

WHEREAS, the American Legislative Exchange Council (ALEC) is the nation's largest individual membership organization of state legislators, dedicated to advancing the Jeffersonian principles of free markets, limited government, federalism and individual liberty; and

WHEREAS, a primary role of state government is to ensure public safety; and

WHEREAS, the efficient use of DNA technology is paramount to helping law enforcement identify the guilty and to preserving and protecting victims' rights to justice and due process; and

WHEREAS, victims must go through the invasive and traumatizing process of having a sexual assault kit collected from their body just hours after being attacked; and

WHEREAS, the majority of sexual assault kits collected are not submitted to crime labs for DNA testing and hundreds of thousands of sexual assault kits are believed to be sitting in storage at state and local law enforcement agencies; and

WHEREAS, the sexual assault arrest rate for jurisdictions testing all sexual assault kits for DNA is as high as 70% while the national average arrest for sexual assault is 24%; and

WHEREAS, because sex offenders are usually serial offenders, testing of sexual assault cases when consent is the primary issue still results in generating valuable information to determine whether or not a case is prosecutable by establishing whether or not this same person was involved in other acquaintance sexual assault cases; and

WHEREAS, because sex offenders are usually serial offenders, testing of sexual assault cases when consent is the primary issue may also result in identification of perpetrators in unsolved stranger sexual assault cases; and

WHEREAS, public-private partnerships can be utilized to greatly increase the efficiency of existing spending on DNA testing further and minimize or completely eliminate the incremental cost to test all sexual assault cases; and

WHEREAS, Illinois has become the first state to enact legislation requiring all sexual assault kits be tested (<http://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=096->

47 [1011&print=true&write=](#)) and other states and cities are currently modeling legislation
48 based on that bill,

49
50 **THEREFORE BE IT RESOLVED** that ALEC supports state efforts to pass legislation
51 requiring all sexual assault kits be tested for DNA.
52

DRAFT Resolution Supporting Childbirth Protection

Summary

This Resolution calls for a limit to the practice of shackling pregnant inmates.

Model Resolution

WHEREAS, the number of women in prison continues to rise each year; and

WHEREAS, there is currently no testing in place to distinguish whether or not a woman enters prison pregnant; and

WHEREAS, during pregnancy, labor, delivery, and post-partum recovery, shackling can endanger the health and lives of the mother and her child; and

WHEREAS, the American College of Obstetricians and Gynecologists have stated their opposition to the practice of shackling pregnant women; and

WHEREAS, litigation across the country demonstrates the need for a uniform, consistent application of statute that takes the unique situation of pregnant inmates, defendants and detainees into consideration; and

WHEREAS, the 8th Circuit Court of Appeals recently ruled that the use of restraints on laboring inmates, defendants and detainees is a violation of the Eighth Amendment and constitutes “cruel and unusual punishment,”; and

WHEREAS, the American Legislative Exchange Council (ALEC) is committed to developing effective criminal justice policies that create safe communities for citizens; and

WHEREAS, 40 states do not yet have legislation that limits the practice of shackling women in childbirth; and

WHEREAS, the Federal Bureau of Prisons, the U.S. Marshall Service, and the American Correctional Association have adopted policies to limit the use of shackles on pregnant prisoners.

THEREFORE BE IT RESOLVED that ALEC believes there are rare occasions in which restraints may be necessary, but for these situations there should be documentation stating reasons why restraints were necessary; and

THEREFORE BE IT FURTHER RESOLVED that ALEC supports anti-shackling legislation for inmates who are in labor or delivery, and urges policy-makers throughout the nation to implement legislation to limit this practice.

DRAFT Childbirth Protection Act

Summary

Relating to use of restraints on pregnant inmates, defendants and detainees who are in labor, delivering a baby or in post-partum recovery; prohibiting such use except under certain circumstances; and allowing for the presence of medical or infirmary staff during post-partum strip search upon return to prison, jail or detention facility.

Model Legislation

{Title, enacting clause, etc.}

Section 1. {Title.} This Act may be cited as the “Childbirth Protection Act”

Section 2. {Pregnancy Testing of Female Inmates}

(A) An adult or juvenile correctional facility, detention center or local jail shall test all women upon entry for pregnancy.

Section 3. {Restraints on Pregnant Prisoners}

(A) An adult or juvenile correctional facility, detention center or local jail shall use the least restrictive restraints necessary when the facility has actual or constructive knowledge that an inmate, defendant or detainee is in the second or third trimester of pregnancy.

(B) No restraints of any kind shall be used on an inmate, defendant or detainee who is in labor, delivering a baby or in post-partum recovery unless there is prior documentation by a medical or mental health professional providing compelling ground to believe that the inmate presents:

(1) An immediate and serious threat of harm to herself, to the medical staff or to others; or

(2) A substantial flight risk that cannot reasonably be contained by other means.

(C) If an inmate, defendant or detainee in labor or who is delivering her baby must be restrained, the least restrictive measure necessary to ensure safety and security shall be used; and

(D) The corrections official shall make written findings within 10 days as to the extraordinary circumstances that dictated the use of restraints. These findings shall be kept on file by the correction institution for at least five (5) years and be made available for public inspection, except that no individually identifying information of any inmate, defendant or detainee shall be made public without the inmate, defendant or detainee’s prior written consent.

(E) Under no circumstances shall leg or waist restraints be used on any inmate, defendant or detainee who is in labor or delivery.

Section 3. {Post-partum Strip Searches}

(A) Upon return to a correctional facility, an inmate, defendant or detainee who has given birth shall have the option of having a member of the facility’s medical or

47 infirm staff be present during her strip-search to ensure that the strip-search is
48 done in a way that neither increases her risk for infection or causes additional
49 physical pain or discomfort.

50

51 **Section 4. {Severability clause.}**

52

53 **Section 5. {Repealer clause.}**

54

55 **Section 6. {Effective date.}**

56

57

DRAFT Resolution Regarding Prison Populations and Redistricting

Summary

This resolution opposes the practice of prison-based gerrymandering and encourages states to count prisoners as members of their pre-incarceration communities for the purposes of redistricting.

Model Resolution

WHEREAS, obtaining an accurate count of the population is vital to representative democracy; and

WHEREAS, our basic democratic principles require State and Local governments to draw district boundaries so that each district contains approximately the same population, ensuring that all residents have equal representation in government; and,

WHEREAS, most State and Local governments rely on U.S. Census data to redraw their districts, but the Census Bureau currently counts incarcerated people as residents of the prison location instead of their pre-incarceration address, despite the fact that many incarcerated people are ineligible to vote, artificially enhancing the vote of citizens in districts with prisons while effectively diluting the vote of all other people living outside these districts; and,

WHEREAS, redistricting is a prerogative of the States and Local governments; and,

WHEREAS, The Census Bureau has agreed to provide data to State and Local governments in time to allow them to adjust population data to take prison populations into account ; and,

WHEREAS, the most equitable remedy to this problem is to count incarcerated persons as residents of their pre-incarceration locations for districting purposes along; and

THEREFORE, BE IT RESOLVED that the American Legislative Council (ALEC) encourages the States to count prison populations as residents of their pre-incarceration communities for purposes of redistricting.

Public Safety & Elections Task Force
As of 3/31/2011

David B. Albo
Legislative Member
Virginia Delegate
Virginia General Assembly
6367 Rolling Mill Place
Suite 102
Springfield, VA 22152
Work Phone: (804) 698-1042
Fax: (804) 698-6742
Email: DelDAIbo@house.virginia.gov

John M. Andrist
Legislative Member
North Dakota Senator
North Dakota Legislature
PO Box E
Crosby, ND 58730-0660
Work Phone: (701) 328-3373
Fax: (701) 328-1997
Email: jandrist@nd.gov

Mark Baker
Legislative Member
Mississippi Representative
Mississippi Legislature
PO Box 947
Brandon, MS 39043-0947
Work Phone: (601) 359-2422
Fax: (601) 359-3728
Email: mbaker@house.ms.gov

Damon J. Baldone
Alternate
Louisiana Representative
Louisiana Legislature
State Capitol
900 North Third Street
Baton Rouge, LA 70804
Work Phone: (225) 342-7263
Fax: (225) 342-8336
Email: larep053@legis.state.la.us

Dennis Bartlett, Ph.D.
Private Sector Member (M1)
Executive Director
American Bail Coalition
3857 Lewiston Place
Fairfax, VA 22030
Work Phone: 703-385-9009
Fax: (202) 296-8702
Email: dnabic@aol.com

Charles Jim Beckett
Legislative Member
Mississippi Representative
Mississippi Legislature
P.O. Box 722
Bruce, MS 38915
Work Phone: (601) 359-2434
Fax: (601) 359-3728
Email: jbeckett@house.ms.gov

Kathy Bernier
Legislative Member
Wisconsin Representative
Wisconsin Legislature
State Capitol
PO Box 8952
Madison, WI 53708-8952
Email: rep.bernier@legis.wi.gov

Al Bingham
Advisor
Senior Loan Officer
National City Mortgage
Credit Plus LLC
PO Box 854
Layton, UT 84041
Work Phone: (801) 558 5055
Fax: (801) 266-5728
Email: Info@CreditScorePlus.net

Darrell Bolz
Legislative Member
Idaho Representative
Idaho Legislature
3412 College Avenue
Caldwell, ID 83605-6136
Work Phone: (208) 332-1000
Fax: (208) 334-5397
Email: dbolz@house.idaho.gov

Jeff Boschwitz, Ph. D.
Private Sector Member (M1)
Vice President, North American Sales & Marketing
Orchid Cellmark
4390 U.S. Route One
Princeton, NJ 08540
Work Phone: 609-750-2329
Fax: 609-750-2729
Email: jboschwitz@orchid.com

Public Safety & Elections Task Force
As of 3/31/2011

Greg Brophy

Legislative Member

Colorado Senator
Colorado Legislature
Colorado State Capitol
200 East Colfax Avenue
Denver, CO 80203-1784
Work Phone: (303) 866-6360
Fax: (303) 866-4543
Email: greg@gregbrophy.net

Terry Bruce

Legislative Member

Kansas Senator
Kansas Legislature
Kansas State Capitol
300 SW 10th Avenue
Topeka, KS 66612-1504
Work Phone: (785) 296-7300
Fax: (785) 296-1153
Email: Terry.Bruce@senate.ks.gov

Justin P. Burr

Legislative Member

North Carolina Representative
North Carolina General Assembly
125 South Third Street
Albemarle, NC 28001
Work Phone: 704-438-2663
Fax: 704-982-0144
Email: justin@justinburr.com

Jon Burton

Private Sector Member (M1)

Senior Director, Government Relations
Reed Elsevier
1000 Alderman Drive
Alpharetta, GA 30005
Work Phone: 678-694-3383
Fax: (566) 322-8243
Email: Jon.Burton@lexisnexis.com

David W. Byram

Private Sector Member (M1)

Director, Public Sector
Reckitt Benckiser Pharmaceuticals Inc.
123 Millstone Way
Simpsonville, SC 29681
Work Phone: (864) 281-7922
Fax: (864) 281-9066
Email: David.Byram@reckittbenckiser.com

Joe Carr

Legislative Member

Tennessee Representative
Tennessee Legislature
War Memorial Building
7th Avenue North
Nashville, TN 37243
Work Phone: (615) 5741-2180
Email: rep.joe.carr@capitol.tn.gov

Michael Carrell

Legislative Member

Washington Senator
Washington Legislature
215 Sid Snyder Avenue, SW
Room 109A Irving R. Newhouse Building
Olympia, WA 98504
Work Phone: (360) 786-7654
Fax: (360) 786-7819
Email: michael.carrell@leg.wa.gov

Julian M. Carroll

Alternate

Kentucky Senator
Kentucky Legislature
Capitol Annex
702 Capitol Avenue
Frankfort, KY 40601
Work Phone: (502) 564-8100
Fax: (502) 564-6543
Email: Julian.Carroll@lrc.ky.gov

Roger C. Chamberlain

Legislative Member

Minnesota Senator
Capitol
75 Dr. Martin Luther King Jr. Boulevard
St. Paul, MN 55155
Email: sen.roger.chamberlain@senate.mn

Lydia Chassaniol

Legislative Member

Mississippi Senator
Mississippi Legislature
State Capitol
PO Box 1018
Jackson, MS 39215-1018
Work Phone: (601) 359-3226
Fax: (601) 359-3938
Email: lchassaniol@senate.ms.gov

Public Safety & Elections Task Force
As of 3/31/2011

David Christman

Private Sector Member (M1)

Director, State & Industry Affairs
National Beer Wholesalers Assoc.
1101 King Street
Suite 600
Alexandria, VA 22314
Work Phone: (703) 683-4300 (ext. 124)
Fax: 703.683.8965
Email: dchristman@nbwa.org

Chaz J. Cirame

Staff

Senior Director, Membership and Development
ALEC
1101 Vermont Ave.
11th Floor
Washington, DC 20005
Work Phone: (202) 466-3800
Fax: (202) 466-3801
Email: CIRAME@GMAIL.COM; ccirame@alec.org

Benjamin L. Cline

Legislative Member

Virginia Delegate
Virginia General Assembly
General Assembly Building
910 Capitol Square
Richmond, VA 23218
AMERICA
Work Phone: (434) 946-9908
Fax: (434) 946-9909
Email: DelBCline@house.virginia.gov

Kevin Cooke

Alternate

Georgia Representative
Georgia General Assembly
342 Mill Pond Crossing
Unit A6
Carrollton, GA 30116
Work Phone: (678) 416-2750
Email: kevin.cooke@house.ga.gov

Kent L. Cravens

Legislative Member

New Mexico Senator
New Mexico Legislature
PO Box 93817
Albuquerque, NM 87199
Work Phone: (505) 986-4391
Fax: (505) 986-4280
Email: klcavens@alphagraphics.com

Ron Crimm

Alternate

Kentucky Representative
Kentucky Legislature
Capitol Annex
702 Capitol Avenue
Frankfort, KY 40601
Work Phone: (502) 245-2118
Fax: (502) 245-3811
Email: Ron.Crimm@lrc.ky.gov

Chuck Cunningham

Private Sector Member (M2)

Director, Federal Affairs
National Rifle Association
410 First Street, SE
Washington, DC 20003
Work Phone: (703) 267-1228
Email: ccunningham@nrahq.org

Ted Daley

Legislative Member

Minnesota Senator
Minnesota Legislature
Capitol
75 Dr. Martin Luther King Jr. Boulevard
St. Paul, MN 55155
Email: sen.ted.daley@senate.mn

Vince Dean

Alternate

Tennessee Representative
Tennessee Legislature
War Memorial Building
7th Avenue North
Nashville, TN 37243-0130
Work Phone: (615) 741-1934
Fax: (615) 253-0271
Email: rep.vince.dean@capitol.tn.gov

Brad L. Dee

Alternate

Utah Representative
Utah Legislature
350 North State Street
PO Box 145030
Salt Lake City, UT 84114-5030
Work Phone: (801) 538-1029
Fax: (801) 326-1544
Email: bdee@utah.gov

Public Safety & Elections Task Force
As of 3/31/2011

Bob Deelstra

Legislative Member

South Dakota Representative
South Dakota Legislature
State Capitol
501 East Capitol Avenue
Pierre, SD 57501-5070
Email: bobdeelstra@hotmail.com

Tony Dugger

Alternate

Missouri Representative
Missouri Legislature
State Capitol
201 West Capitol Avenue
Jefferson City, MO 65101
Work Phone: (573) 751-2205
Email: Tony.Dugger@house.mo.gov

Donald H. Dwyer, Jr.

Alternate

Maryland Delegate
Maryland Legislature
Lowe House Office Building
6 Bladen Street
Annapolis, MD 21401-1912
Work Phone: (410) 841-3047
Email: don.dwyer@house.state.md.us

Sue Entlicher

Alternate

Missouri Representative
Missouri Legislature
State Capitol
201 West Capitol Avenue
Jefferson City, MO 65101
Email: Sue.Entlicher@house.mo.gov

Joshua G. Evans

Legislative Member

Tennessee Representative
Tennessee Legislature
War Memorial Building
7th Avenue North
Nashville, TN 37243
Work Phone: (615) 741-2860
Fax: (615) 253-0283
Email: rep.joshua.evans@capitol.tn.gov;
Joshua@EvansForHouse.com

Joseph M. Fischer

Legislative Member

Kentucky Representative
Kentucky Legislature
Capitol Annex
702 Capitol Avenue
Frankfort, KY 40601
Work Phone: (502) 564-8100
Fax: (502) 564-6543
Email: Joe.Fischer@lrc.ky.gov

Scott L. Fitzgerald

Legislative Member

Wisconsin Senator
Wisconsin Legislature
State Capitol
PO Box 7882
Madison, WI 53707-7882
Work Phone: (608) 266-5660
Fax: (608) 267-6795
Email: Sen.Fitzgerald@legis.wisconsin.gov

Allen Fletcher

Alternate

Texas Representative
Texas Legislature
21901 State Highway 249
Suite 350
Houston, TX 77270
Work Phone: (512) 463-0661
Fax: (512) 463-4130
Email: allen.fletcher@house.state.tx.us

Dale Robbins Folwell

Legislative Member

North Carolina Representative
299 South Westview Drive
Winston-Salem, NC 27104
Work Phone: (919) 733-5787
Fax: (919) 733-3113
Email: Dale.Folwell@ncleg.net

Joseph M. Getty

Legislative Member

Maryland Senator
Maryland Legislature
James Senate Office Building
11 Bladen Street
Annapolis, MD 21401
Work Phone: (410) 841-3683
Email: joseph.getty@senate.state.md.us

Public Safety & Elections Task Force
As of 3/31/2011

Mario Goico

Alternate

Kansas Representative
Kansas Legislature
Kansas State Capitol
300 SW 10th Avenue
Topeka, KS 66612-1504
Work Phone: (785) 296-7663
Fax: (785) 368-6365
Email: mario.goico@house.ks.gov

David M. Gowan, Sr.

Legislative Member

Arizona Representative
Capitol Complex- House
1700 West Washington Street
Phoenix, AZ 85007-2890
Work Phone: (602) 926-3312
Fax: (602) 417-3130
Email: dgowan@azleg.gov

Johnny Grant

Alternate

Georgia Senator
Georgia General Assembly
116 Sparta Hwy NE
Milledgeville, GA 31061
Work Phone: (478) 451-7234
Fax: (404) 657-3248
Email: johnny.grant@senate.ga.gov

Sandra H. Greiner

Legislative Member

Iowa Senator
Iowa Legislature
State Capitol
1007 East Grand Avenue
Des Moines, IA 50319
Email: sandra.greiner@legis.state.ia.us

Steve Gross

Private Sector Member (M1)

State Relations Director
Wine Institute
425 Market Street
Suite 1000
San Francisco, CA 94105
Work Phone: (415) 356-7518
Fax: (415) 543-5848
Email: sgross@wineinstitute.org

Douglas L. Gutwein

Legislative Member

Indiana Representative
Indiana Legislature
State House
200 West Washington Street
Indianapolis, IN 46204-2786
Work Phone: 317-232-9700
Email: h16@in.gov

Mark D. Hamilton

Legislative Member

Georgia Representative
Georgia General Assembly
108 Colony Park Dr., Suite 400
Cumming, GA 30040
Work Phone: (404) 656-0188
Fax: (404) 651-8086
Email: mark.hamilton@house.ga.gov

James H. Harrison

Alternate

South Carolina Representative
South Carolina Legislature
198 Preserve Lane
Columbia, SC 29209
Work Phone: (803) 734-3120
Fax: (803) 734-2925
Email: jim@jharrisonlaw.com

John M. Hastert

Legislative Member

Wyoming Senator
Wyoming Legislature
State Capitol
200 West 24th Street
Cheyenne, WY 82002
Work Phone: (307) 777-7881
Email: jhastert2@wyoming.com

Patrick R. Hatlestad

Legislative Member

North Dakota Representative
North Dakota Legislature
PO Box 1342
Williston, ND 58802-1342
Work Phone: (701) 328-2916
Fax: (701) 328-1997
Email: phatlestad@nd.gov

Public Safety & Elections Task Force
As of 3/31/2011

Gary K. Hayzlett
Legislative Member
Kansas Representative
Kansas Legislature
308 East Russell Road, Box 66
Lakin, KS 67860-0066
Work Phone: (785) 296-7640
Fax: (785) 368-6365
Email: ghayzlet@PLD.com

Glenn Hegar, Jr.
Legislative Member
Texas Senator
Texas Legislature
Capitol Extension
1100 Congress Avenue
Austin, TX 78701
Work Phone: (512) 463-0118
Fax: (512) 475-3736
Email: glenn.hegar@senate.state.tx.us

Dave Hinson
Alternate
Missouri Representative
Missouri Legislature
State Capitol
201 West Capitol Avenue
Jefferson City, MO 65101
Work Phone: (573) 751-0549
Email: dave.hinson@house.mo.gov

Dawson Hobbs
Private Sector Member (M1)
Vice President, State Affairs
Wine and Spirits Wholesalers of America
805 15th Street, NW
Suite 430
Washington, DC 20005-2602
Work Phone: (202) 371-9792, ext. 325
Fax: (202) 789-2405
Email: dawson.hobbs@wsa.org

Gregory Hoke
Private Sector Member (M2)
State Government Manager
Reckitt Benckiser Pharmaceuticals Inc.
1400 McKinney Street
Apt. 2401
Houston, TX 77010
AMERICA
Work Phone: 281-813-5368
Email: greg.hoke@reckittbenckiser.com

Peter Holran
Private Sector Member (M1)
VP Government & Public Affairs
TASER International
1100 Wilson Boulevard, Suite 1210
Arlington, VA 22209
Work Phone: (800) 978-2737
Email: pholran@TASER.com

Billy S. Horne
Alternate
Georgia Representative
Georgia General Assembly
64 Ivy Springs Drive
Newnan, GA 30265-2234
Work Phone: (404) 656-0287
Email: gahouse71@yahoo.com

Michael Hough
Staff
Maryland Delegate
Maryland Legislature
143 Fiona Way
Brunswick, MD 21758
Work Phone: (410) 841-3472
Email: mhough@alec.org

DebraLee Hovey
Legislative Member
Connecticut Representative
Connecticut General Assembly
296 Fan Hill Road
Monroe, CT 06468
Work Phone: (860) 240-8734
Fax: (860) 240-0207
Email: debralee.hovey@cga.ct.gov;
james.bookwalter@cga.ct.gov

Sally Jefferson
Private Sector Member (M1)
Vice President, State Government Affairs
Wine Institute
136 E. 36th St.
Suite 5D
New York, NY 10016
Work Phone: (646) 449-0598
Fax: (646) 449-9756
Email: sjefferson@theesa.com

Public Safety & Elections Task Force
As of 3/31/2011

Teresa Jennings

Private Sector Member (Info)

Managing Director, State Government Affairs
Reed Elsevier Inc.
1150 18th Street, NW
Suite 600
Washington, DC 20036
Work Phone: (202) 857-4643
Fax: (202) 857-8294
Email: teresa.jennings@lexisnexis.com

Eric Johnson

Alternate

Texas Legislature
Capitol Extension
1100 Congress Avenue
Austin, TX 78711
Work Phone: (512) 463-0586
Fax: (512) 463-8147
Email: juan.ayala@house.state.tx.us

Clark Jolley

Legislative Member

Oklahoma Senator
Oklahoma Legislature
State Capitol Building
2300 North Lincoln Boulevard
Oklahoma City, OK 73105
Work Phone: (405) 521-5622
Fax: (405) 521-5606
Email: jolley@oksenate.gov

Tim L. Kapucian

Legislative Member

Iowa Senator
Iowa Legislature
State Capitol
1007 East Grand Avenue
Des Moines, IA 50319
Work Phone: (515) 281-3371
Fax: (515) 242-6108
Email: Tim.Kapucian@legis.state.ia.us

John Kavanagh

Legislative Member

Arizona Representative
Arizona Legislature
Capitol Complex- House
1700 West Washington Street
Phoenix, AZ 85007-2890
Work Phone: (602) 926-5170
Fax: (602) 417-3108
Email: jkavanagh@azleg.gov

Troy Kelley

Legislative Member

Washington Representative
Washington Legislature
7406 27th Street W
Suite 207
University Place, WA 98466
Work Phone: (360) 786-7890
Fax: (360) 786-7317
Email: troy.kelley@leg.wa.gov

Jenny Kim

Private Sector Member (M1)

Senior Counsel, Political Law
Koch Companies Public Sector, LLC
P.O. Box 2256
Wichita, KS 67201-2256
Work Phone: (316)828-5274
Fax: (316)828-5739
Email: Jenny.Kim@kochps.com

Themis Klarides

Legislative Member

Connecticut Representative
Connecticut General Assembly
23 East Court
Derby, CT 06418-2640
Work Phone: (860) 240-88398
Fax: (860) 240-0207
Email: Themis.Klarides@housegop.ct.gov

Lawrence R. Klemm

Legislative Member

North Dakota Representative
North Dakota Legislature
1709 Montego Drive
Bismarck, ND 58503-0856
Work Phone: (701) 328-3373
Fax: (701) 328-1997
Email: lklemm@nd.gov

Robert W. Kostelka

Legislative Member

Louisiana Senator
Louisiana Legislature
State Capitol
900 North Third Street
Baton Rouge, LA 70804
Work Phone: (225) 342-2040
Fax: (225) 342-0617
Email: kostelka@legis.state.la.us

Public Safety & Elections Task Force
As of 3/31/2011

Casey Kozlowski
Legislative Member
Ohio Representative
Ohio Legislature
Vern Riffe Center
77 South High Street
Columbus, OH 43215-6111
Email: district99@ohr.state.oh.us

Karen K. Krebsbach
Alternate
North Dakota Senator
North Dakota Legislature
PO Box 1767
Minot, ND 58702-1767
Work Phone: (701) 328-3373
Fax: (701) 328-1997
Email: kkrebsbach@nd.gov

Helen Kriebel
Private Sector Member (Info)
Founder and President
Vernon K. Kriebel Foundation
1777 South Harrison Street
Suite 807
Denver, CO 80210
Work Phone: (303) 758-3956
Fax: (303) 488-0068
Email: crystalswc@earthlink.net

Helen Kriebel
Private Sector Member (Info)
Founder and President
Vernon K. Kriebel Foundation
1777 South Harrison Street
Suite 807
Denver, CO 80210
Work Phone: (303) 758-3956
Fax: (303) 488-0068
Email: crystalswc@earthlink.net

Scott Krug
Alternate
Wisconsin Representative
Wisconsin Legislature
State Capitol
PO Box 8952
Madison, WI 53708-8952
Email: rep.krug@legis.wi.gov

Frank LaRose
Legislative Member
Ohio Senator
Ohio Legislature
Senate Building
1 Capitol Square
Columbus, OH 43215
Work Phone: (330) 461-6446 (Cell)
Email: SD27@senate.state.oh.us

Steve Lavin
Legislative Member
Montana Representative
Montana Legislature
State Capitol
1301 East 6th Avenue
Helena, MT 59620
Email: stevelavin4hd8@gmail.com

Eli Lehrer
Advisor
Fellow
The Heartland Institute
1728 Connecticut Ave N.W.
Washington, DC 20009
Work Phone: (202) 615-0586
Fax: (202) 331-0640
Email: elehrer@heartland.org

Marc Levin
Private Sector Member (M1)
Director of Center for Effective Justice
Texas Public Policy Foundation
900 Congress Avenue
Suite 400
Austin, TX 78701-2432
Work Phone: (512) 472-2700
Fax: (512) 472-2728
Email: mlevin@texaspolicy.com

Shawn Lindsay
Legislative Member
Oregon Representative
Oregon Legislature
State Capitol
900 Court Street, NE
Salem, OR 97301
Email: rep.shawnlindsay@state.or.us

Public Safety & Elections Task Force
As of 3/31/2011

L. Scott Lingamfelter

Alternate

Virginia Delegate
Virginia General Assembly
5420 Lomax Way
Woodbridge, VA 22193-3558
Work Phone: (804) 698-1031
Fax: (804) 698-6731
Email: DelSLingamfelter@house.virginia.gov

Stephanie J. Linn

Staff

Policy Coordinator
ALEC
1101 Vermont Ave.
11th Floor
Washington, DC 20005
Work Phone: (202) 466-3800
Fax: (202) 466-3801
Email: Slinn@alec.org

Nicholas J. Lorusso

Alternate

Louisiana Representative
Louisiana Legislature
3535 Canal Street
Suite 103
New Orleans, LA 70119
Work Phone: (225) 342-6945
Fax: (225) 342-8336
Email: larep094@legis.state.la.us

Paul Lucas

Private Sector Member (M2)

Director, State Government Affairs
MillerCoors
3427 Weymouth Court
Marietta, GA 30062
Email: lucas.paul@mbco.com

Peter J. Lund

Legislative Member

Michigan Representative
Michigan Legislature
Cora B. Anderson House Office Building
124 North Capitol Avenue
Lansing, MI 48933-1341
Work Phone: (517) 373-0843
Fax: (517) 373-5892
Email: PeteLund@house.mi.gov

Jon C. Lundberg

Legislative Member

Tennessee Representative
Tennessee Legislature
War Memorial Building
7th Avenue North
Nashville, TN 37243-0104
Work Phone: (615) 741-7623
Fax: (615) 253-0272
Email: rep.jon.lundberg@capitol.tn.gov

Bob Lynn

Legislative Member

Alaska Representative
Alaska Legislature
State Capitol
120 4th Street
Juneau, AK 99801-1182
Work Phone: (907) 465-4931
Fax: (907) 465-4316
Email: Representative_Bob_Lynn@legis.state.ak.us

Jerry Madden

Task Force Chair

Texas Representative
Texas Legislature
PO Box 940844
Plano, TX 75074
Work Phone: (512) 463-0544
Fax: (512) 463-9974
Email: jerry.madden@house.state.tx.us

Ron Marsico

Legislative Member

Pennsylvania Representative
Pennsylvania Legislature
Ryan Office Building
451 North Third Street
Harrisburg, PA 17120
Work Phone: (717) 783-2014
Fax: (717) 705-2010
Email: rmarsico@pahousegop.com

Jarrold B. Martin

Legislative Member

Ohio Representative
Ohio Legislature
506 Crisp Wind Court
Fairborn, OH 45324
Work Phone: (614) 644-6020
Fax: (614) 719-3970
Email: district70@ohr.state.oh.us

Public Safety & Elections Task Force
As of 3/31/2011

Steve C. Martin

Legislative Member

Oklahoma Representative
Oklahoma Legislature
2458 County Road 3102
Bartlesville, OK 74003-3046
Work Phone: (405) 557-7402
Email: stevemartin@bartnet.net

Daniel R. Martiny

Legislative Member

Louisiana Senator
Louisiana Legislature
State Capitol
900 North Third Street
Baton Rouge, LA 70804
Work Phone: (225) 342-2040
Fax: (225) 342-0617
Email: martinyd@legis.state.la.us

Susan K. McComas

Legislative Member

Maryland Delegate
Maryland Legislature
Lowe House Office Building
6 Bladen Street
Annapolis, MD 21401-1912
Work Phone: (410) 841-3289
Fax: (410) 841-3202
Email: susan.mccomas@house.state.md.us

Kevin McGee

Alternate

Mississippi Representative
Mississippi Legislature
State Capitol
PO Box 1018
Jackson, MS 39215-1018
Work Phone: (601) 359-3360
Fax: (601) 359-3728
Email: kmcgee@house.ms.gov

Daryl D. Metcalfe

Legislative Member

Pennsylvania Representative
Pennsylvania Legislature
East Wing Building
Harrisburg, PA 17120
Work Phone: (717) 783-1707
Fax: (717) 787-4771
Email: dmetcalf@pahousegop.com

Tara Mica

Private Sector Member (M1)

State Liaison
National Rifle Association
12405 Von Herff Court
Austin, TX 78732
Work Phone: (512) 266-4908
Fax: (512) 266-4907
Email: tmica@nrahq.org

Richard Miranda

Alternate

Arizona Representative
Arizona Legislature
Capitol Complex- House
1700 West Washington Street
Phoenix, AZ 85007-2890
Work Phone: (602) 926-5911
Fax: (602) 417-3271
Email: rmiranda2@cox.net

Jonathan Moody

Staff

Director of Donor Relations
ALEC
1101 Vermont Ave.
11th Floor
Washington, DC 20005
Work Phone: (202) 742-8516
Fax: (202) 466-3801
Email: jmoody@alec.org

John Moolenaar

Legislative Member

Michigan Senator
Michigan Legislature
Farnum Building
125 West Allegan Street
Lansing, MI 48933
Email: SenJMoolenaar@senate.michigan.gov

Adrian T. Moore

Advisor

Vice President of Research
Reason Foundation
3415 S. Sepulveda Blvd.
Suite 400
Los Angeles, CA 90034-6064
Work Phone: (661) 477-3107
Fax: (310) 391-4395
Email: adriantm@aol.com

Public Safety & Elections Task Force
As of 3/31/2011

Tim K. Moore

Legislative Member

North Carolina Representative
North Carolina General Assembly
Legislative Office Building
300 North Salisbury Street
Raleigh, NC 27603
Work Phone: (919) 733-4838
Fax: (919) 733-3113
Email: Tim.Moore@ncleg.net

Jack Murphy

Legislative Member

Georgia Senator
Georgia General Assembly
Coverdell Legislative Office Building
18 Capitol Square
Atlanta, GA 30334
Work Phone: (404) 656-7127
Fax: (404) 651-6767
Email: jack.murphy@senate.ga.gov

Brian Nairin

Private Sector Member (Info)

President
American Insurance Association
P.O. Box 9810
Calabasas, CA 91372-0810
Work Phone: (818) 222-4999
Fax: (818) 222-4498
Email: brian.nairin@aiaasurety.com

Matthew Nese

Private Sector Member (M2)

Director, Government Affairs
Center for Competitive Politics
124 S. West St.
Suite 201
Alexandria, VA 22314
Work Phone: 703-894-6800
Email: mnese@campaignfreedom.org

B.J. Nikkel

Legislative Member

Colorado Representative
Colorado Legislature
Colorado State Capitol
200 East Colfax Avenue
Denver, CO 80203-1784
Work Phone: (303) 866-2907
Email: rep.nikkel@gmail.com

Pat Nolan

Private Sector Member (M1)

Vice President
Justice Fellowship
44180 Riverside Parkway
Lansdowne, VA 20176
Work Phone: 703-554-8513
Fax: 703-554-8658
Email: pnolan@pfm.org

David Novstrup

Legislative Member

South Dakota Representative
South Dakota Legislature
1008 South Wells Street
Aberdeen, SD 57401-7373
Work Phone: (605) 380-9998
Fax: (605) 773-6806
Email: david@thunderroad.info

Courtney A. O'Brien

Staff

Legislative Assistant, CIED & Public Safety and Elections
Task Force
ALEC
1101 Vermont Ave.
11th Floor
Washington, DC 20005
Work Phone: (202) 466-3800
Fax: (202) 466-3801
Email: cobrien@alec.org

Chris Oswald

Private Sector Member (M2)

Director, State Government Affairs, Western Region
Reed Elsevier Inc.
669 Fifth Avenue
Sacramento, CA 95818
Work Phone: 202-251-7408
Email: christopher.oswald@reedelsevier.com

Sean Parnell

Private Sector Member (M2)

President
Center for Competitive Politics
124 S. West St.
Suite 201
Alexandria, VA 22314
Work Phone: 703-894-6800
Email: sparnell@campaignfreedom.org

Public Safety & Elections Task Force
As of 3/31/2011

Neil Conrad Parrott

Legislative Member

Maryland Delegate
Maryland Legislature
20005 Lindenhurst Court
Hagerstown, MD 21742
Work Phone: (240) 329-2645
Email: neilandapril@myactv.net

Mike L. Parson

Legislative Member

Missouri Senator
Missouri Legislature
State Capitol
201 West Capitol Avenue
Jefferson City, MO 65101
Work Phone: (573) 751-1347
Fax: (573) 522-9179
Email: ml235@hotmail.com

Russell K. Pearce

Legislative Member

Arizona Senator
Arizona Legislature
Capitol Complex- Senate
1700 West Washington Street
Phoenix, AZ 85007-2890
Work Phone: (602) 926-5760
Fax: (602) 417-3118
Email: rpearce@azleg.gov

Ray Pilon

Legislative Member

Florida Representative
Florida Legislature
House Office Building
402 South Monroe Street
Tallahassee, FL 32399-1300
Email: ray.pilon@myfloridahouse.gov

Paul Pisano

Private Sector Member (M2)

Vice President, Industry Affairs & Counsel
National Beer Wholesalers Association
1101 King Street
Suite 600
Alexandria, VA 22314-2944
Work Phone: (703)683-4300
Fax: (703)683-8965
Email: afoster@nbwa.org

Phyllis J. Pond

Legislative Member

Indiana Representative
Indiana Legislature
State House
200 West Washington Street
Indianapolis, IN 46204-2786
Work Phone: (317) 232-9600
Fax: (317) 232-7644
Email: H85@in.gov

Lorraine K. Quarberg

Legislative Member

Wyoming Representative
Wyoming Legislature
712 West Sunnyside Lane
Thermopolis, WY 82443
Work Phone: (307) 864-2221
Fax: (307) 864-5764
Email: lquarberg@wyoming.com

Jessie Rager

Private Sector Member (M2)

Paralegal - Legal Reform
Koch Companies Public Sector, LLC
600 14th St. NW
Suite 800
Washington, DC 20005
Work Phone: (202) 879-8557
Fax: (202) 737-8111
Email: jessie.rager@kochps.com

Dennis M. Reboletti

Legislative Member

Illinois Representative
Illinois Legislature
50 East Oak Street
Suite 250
Addison, IL 60101
Work Phone: (217) 782-4014
Fax: (217) 782-3189
Email: DennisReboletti@aol.com

William R. Rehm

Legislative Member

New Mexico Representative
New Mexico Legislature
P.O. Box 14768
Albuquerque, NM 87191
Work Phone: (505) 986-4453
Fax: (505) 986-4610
Email: bill.rehm@nmlegis.gov

Public Safety & Elections Task Force
As of 3/31/2011

David B. Reis

Legislative Member

Illinois Representative
Illinois Legislature
Stratton Office Building
401 South Spring Street
Springfield, IL 62706
Work Phone: (217) 782-2087
Fax: (217) 782-1336
Email: david@davidreis.org

Tom R. Rice

Legislative Member

Georgia Representative
Georgia General Assembly
4151 Blue Iris Hollow
Norcross, GA 30092
Work Phone: (404) 656-5912
Fax: (404) 657-4868
Email: tqgrice@aol.com

Margaret Ellis Rogers

Alternate

Mississippi Representative
Mississippi Legislature
619 Owen Road
New Albany, MS 38652
Work Phone: (601) 359-3353
Fax: (601) 359-3728
Email: mrogers@house.ms.gov

Charles R. Ross

Legislative Member

Washington Representative
Washington Legislature
Legislative Building
416 Sid Snyder Avenue, SW
Olympia, WA 98504
Work Phone: (360) 786-7856
Fax: (360) 786-7317
Email: charles.ross@leg.wa.gov

John James Rubin

Alternate

Kansas Representative
Kansas Legislature
Kansas State Capitol
300 SW 10th Avenue
Topeka, KS 66612-1504
AMERICA
Work Phone: 913-558-4967
Email: rubinshaw@aol.com

Stacie Rumenap

Private Sector Chair

Executive Director
Stop Child Predators
1419 37th St., NW
#108
Washington, DC 20007
Work Phone: (202) 248-7052
Fax: (202) 248-4427
Email: srumenap@stopchildpredators.org

Jon Sanders

Private Sector Member (M1)

John Locke Foundation
200 West Morgan Street
Suite 200
Raleigh, NC 27601-1338
Work Phone: (919) 828-3876
Fax: (919) 821-5117
Email: jsanders@johnlocke.org

Sal Santoro

Legislative Member

Kentucky Representative
Kentucky Legislature
596 Waterlot Court
Florence, KY 41042
Work Phone: (502) 564-8100
Email: Sal.Santoro@lrc.ky.gov

Ronald F. Scheberle

Staff

PEB Chairman Emeritus
ALEC
2601 Brookside Drive
Irving, TX 75063
Work Phone: (214) 557-6769
Fax: (972) 869-2258
Email: ronscheberle@sbcglobal.net

Jennifer M. Seelig

Legislative Member

Utah Representative
Utah Legislature
350 North State Street
PO Box 145030
Salt Lake City, UT 84114-5030
Work Phone: (801) 538-1029
Fax: (801) 326-1544
Email: jseelig@utah.gov

Public Safety & Elections Task Force
As of 3/31/2011

Daniel Seum

Alternate

Kentucky Senator
Kentucky Legislature
1107 Holly Avenue
Fairdale, KY 40118
Email: Dan.Seum@lrc.ky.gov

Beverly J. Sherwood

Legislative Member

Virginia Delegate
Virginia General Assembly
General Assembly Building
910 Capitol Square
Richmond, VA 23218
Work Phone: (804) 698-1029
Fax: (804) 786-6310
Email: dlshrwood@shentel.net

Ron Shimanski

Legislative Member

Minnesota Representative
Minnesota Legislature
23808 Jet Avenue
Silver Lake, MN 55381
Work Phone: (651) 296-1534
Fax: (651) 296-3949
Email: rep.ron.shimanski@house.mn

Tony Shipley

Alternate

Tennessee Representative
Tennessee Legislature
P.O. Box 6173
Kingsport, TN 37663
Work Phone: (615) 741-2886
Email: tony_shipley@yahoo.com

Rob Shrum

Staff

Director of Corporate & Non-Profit Relations
ALEC
1101 Vermont Ave.
11th Floor
Washington, DC 20005
Work Phone: (202) 466-3800
Fax: (202) 466-3801
Email: rshrum@alec.org

Steve M. Smith

Alternate

Arizona Senator
Arizona Legislature
17818 North Smith Drive
Maricopa, AZ 85139
Work Phone: (602) 9265681
Email: stevesmith@azleg.gov

Wayne Smith

Alternate

Texas Representative
Texas Legislature
Capitol Extension
1100 Congress Avenue
Austin, TX 78701
Work Phone: (512) 463-0733
Fax: (512) 463-1323
Email: wayne.smith@house.state.tx.us

Tim Stubson

Legislative Member

Wyoming Representative
Wyoming Legislature
1645 South Chestnut
Casper, WY 82601
Work Phone: (307) 777-7852
Fax: (307) 777-5466
Email: tim@stampedeforstubson.com

Scott F. Suder

Legislative Member

Wisconsin Representative
Wisconsin Legislature
State Capitol
PO Box 8953
Madison, WI 53708-8952
Work Phone: (608) 267-0280
Fax: (608) 282-3669
Email: Rep.Suder@legis.wisconsin.gov

Elaine B. Swinford

Legislative Member

New Hampshire Representative
New Hampshire Legislature
43 Webster Lane
Center Barnstead, NH 03225-3332
Work Phone: (603) 271-2548
Fax: (603) 271-3309
Email: elainesw@metrocast.net

Public Safety & Elections Task Force
As of 3/31/2011

Larry W. Taylor

Legislative Member

Texas Representative
Texas Legislature
Capitol Extension
1100 Congress Avenue
Austin, TX 78701
Work Phone: (512) 463-0729
Fax: (512) 474-2398
Email: larry.taylor@house.state.tx.us

Sue Tibbs

Legislative Member

Oklahoma Representative
Oklahoma Legislature
State Capitol Building
2300 North Lincoln Boulevard
Oklahoma City, OK 73105
Work Phone: (405) 557-7379
Fax: (405) 962-7657
Email: suetibbs@okhouse.gov

Steven Tilley

Legislative Member

Missouri Representative
Missouri Legislature
State Capitol
201 West Capitol Avenue
Jefferson City, MO 65101
Work Phone: (573) 751-1488
Fax: (573) 526-0881
Email: steven.tilley@house.mo.gov

Travis Tranel

Alternate

Wisconsin Representative
Wisconsin Legislature
State Capitol
PO Box 8952
Madison, WI 53708-8952
Email: rep.tranel@legis.wi.gov

Steve R. Urie

Alternate

Arizona Representative
Arizona Legislature
PO Box 73
Mammoth, AZ 85618
Work Phone: (602) 926-5681
Email: surie@azleg.gov

Maurice Villeneuve

Legislative Member

New Hampshire Representative
New Hampshire Legislature
146 County Road
Bedford, NH 03110
Work Phone: (603) 271-2548
Fax: (603) 271-3309
Email: moeville@peoplepc.com

Greg E. Walcher

Private Sector Member (M1)

Vernon K. Kriebel Foundation
P.O. Box 1393
Palisade, CO 81526
Work Phone: (970) 640-5089
Fax: (703) 413-0209
Email: gregwalcher@gmail.com

Jerry Watson

Private Sector Member (M2)

General Counsel
American Bail Coalition
P.O. Box 9810
Calabasas, CA 91372-9810
Work Phone: (800) 935-2245 ext. 6023
Fax: (818) 449-7123
Email: jerry.watson@aiaSurety.com

Shari Williams

Private Sector Member (M2)

Executive Director
Vernon K. Kriebel Foundation
1777 South Harrison Street
Suite 807
Denver, CO 80210
Work Phone: (303) 758-3956
Fax: (303) 488-0068
Email: sharkon@earthlink.net

Carl Wimmer

Legislative Member

Utah Representative
Utah Legislature
5526 West 13400 South
Suite 108
Herriman, UT 84096
Work Phone: (801) 538-1029
Fax: (801) 326-1544
Email: cwimmer@utah.gov

Public Safety & Elections Task Force
As of 3/31/2011

G. Harold Wright, Jr.

Alternate

Oklahoma Representative
Oklahoma Legislature
State Capitol Building
2300 North Lincoln Boulevard
Oklahoma City, OK 73105
Work Phone: (405) 557-7325
Fax: (405) 557-7351
Email: harold.wright@okhouse.gov

Total Records 151



Mission Statement

The American Legislative Exchange Council's mission is...

To advance the Jeffersonian Principles of free markets, limited government, federalism, and individual liberty through a nonpartisan public-private partnership among America's state legislators, concerned members of the private sector, the federal government, and the general public.

To promote these principles by developing policies that ensure the powers of government are derived from, and assigned to, first the People, then the States, and finally the Federal Government.

To enlist state legislators from all parties and members of the private sector who share ALEC's mission.

To conduct a policy making program that unites members of the public and private sector in a dynamic partnership to support research, policy development, and dissemination activities.

To prepare the next generation of political leadership through educational programs that promote the principles of Jeffersonian democracy, which are necessary for a free society.

SCHOLARSHIP POLICY BY MEETING

ALEC Spring Task Force Summit:

1. ***Spring Task Force Summit Reimbursement Form:*** ALEC Task Force Members are reimbursed by ALEC up to \$350.00 for travel expenses. Receipts must be forwarded to the ALEC Policy Coordinator and approved by the Director of Policy.
2. ALEC Task Force Members' room & tax fees for up to a two-night stay at the host hotel are covered by ALEC.
3. Registration fees are not covered; however, Task Force Members may submit registration expenses for payment from their state scholarship account upon approval of the State Chair.
4. *Official Alternate Task Force Members* (chosen by the State Chair and whose names are given to ALEC more than 35 days prior to the meeting to serve in place of a Task Force Member who cannot attend) are reimbursed in the same manner as Task Force Members.
5. ***State Scholarship Reimbursement Form:*** Any fees above the set limit, or expenses other than travel and room expenses can be submitted by Task Force Members for payment from their state scholarship account upon the approval of the State Chair. Receipts must be submitted to the State Chair, who will submit the signed form to the Director of Membership.
6. *Non-Task Force Members* can be reimbursed out of the state scholarship fund upon State Chair approval. Receipts must be submitted to the State Chair, who will submit the appropriate signed form to the Director of Membership.

ALEC Annual Meeting:

State Scholarship Reimbursement Form: State scholarship funds are available for reimbursement by approval of your ALEC State Chair. Expenses are reimbursed after the conference, and may cover the cost of travel, room & tax, and registration. Receipts are to be submitted to the State Chair, who will then submit the signed form to the Director of Membership.

ALEC States & Nation Policy Summit:

1. ***States & Nation Policy Summit Reimbursement Form:*** ALEC offers two scholarships per state to cover the cost of travel, room & tax, and registration not to exceed \$1,000.00 per person for a total of \$2,000.00 per state. ALEC scholarship recipients must be named by the ALEC State Chair. Expenses are submitted to the State Chair and reimbursed after the conference. The State Chair submits the signed form to the Director of Membership.
2. ***State Scholarship Reimbursement Form:*** Any other fees or payments must come out of the state scholarship account, with the approval of the State Chair. Receipts must be submitted to the State Chair, who submits the signed form to the Director of Membership.

ALEC Academies:

Academy Reimbursement Form: Attendees of ALEC Academies are reimbursed by the Task Force Committee hosting the Academy. Attendees will receive a form at the Academy, and will be reimbursed up to \$500.00 for travel, and room & tax fees for a two-night stay by ALEC. Receipts must be forwarded to the appropriate Task Force Director and approved by the Director of Policy.

ATTENDEE REGISTRATION / HOUSING FORM

Hilton Cincinnati Netherland Plaza -
Cincinnati, OH

Early Registration deadline is April 6, 2011
Housing cut-off date is April 6, 2011

April 28-29, 2011



Online
www.alec.org

Fax (credit cards only)
202.331.1344

Phone / Questions • Mon-Fri, 9am-5:30 pm Eastern
Registration: 202.742.8538 / Housing: (800) 221-3531

Mail • ALEC Registration & Housing
P.O. Box 96754 • Washington, DC 20090-6754

ATTENDEE INFORMATION

Prefix (required) ☐ Sen ☐ Rep ☐ Del ☐ Mr ☐ Mrs ☐ Ms ☐ Other _____
Last Name _____ First Name _____ Middle Initial _____ Badge Nickname _____
Title _____
Organization (required) _____
Address _____ Suite # _____
City _____ State/Province _____ Country _____ ZIP/Postal code _____
Daytime phone _____ Fax _____ Alternate phone _____
Email (confirmation will be sent by email) _____

Spouse / Guest: If registering a spouse or guest, please complete the spouse/guest registration form.

REGISTRATION

****Save \$50 on registration by booking your hotel room in ALEC's headquarter hotel****

DISCOUNTED REGISTRATION FEES are extended only to registrants booking ALEC's headquarter hotel. ALEC will reimburse \$50 when your accommodations are confirmed.

Note: Member fees are subject to verification

	Early Until 04/06	On-Site Begin 04/07	Amount
<input type="checkbox"/> I have already registered # _____	\$ 150	\$ 150	\$ _____
<input type="checkbox"/> ALEC Legislative Task Force Member	\$ 250	\$ 250	\$ _____
<input type="checkbox"/> ALEC Private Sector Task Force Voting Member			\$ _____
<input type="checkbox"/> ALEC Legislative Member/ Non-Task Force Member	\$ 400	\$ 500	\$ _____
<input type="checkbox"/> Private Sector Member/ Non-Task Force Member	\$ 550	\$ 700	\$ _____
<input type="checkbox"/> Legislative/ Non-Member	\$ 525	\$ 625	\$ _____
<input type="checkbox"/> Private Sector/ Non-Member	\$ 875	\$ 1,025	\$ _____
<input type="checkbox"/> ALEC Non-Profit Member (501(c)(3) status required)	\$ 475	\$ 575	\$ _____
<input type="checkbox"/> Non-Profit Non-Member (501(c)(3) status required)	\$ 625	\$ 725	\$ _____
<input type="checkbox"/> Legislative Staff / Government	\$ 400	\$ 500	\$ _____
<input type="checkbox"/> ALEC Legacy Member	\$ 0	\$ 0	\$ _____

Promo Code _____

TOTAL REGISTRATION FEES: \$ _____

Note: Registration forms with enclosed payments must be postmarked by **April 6, 2011**, to be eligible for early registration rates. Forms and/or payments received after **April 6, 2011**, will be subject to the on-site registration rate. If registering after **April 6, 2011**, please bring completed form and payment to register on-site.

REGISTRATION CONFIRMATION INFORMATION

Online registrants will receive immediate email confirmation. If registering by form, confirmation will be emailed, faxed, or mailed within 72 hours of receipt of payment.

REGISTRATION CANCELLATION / REFUND INFORMATION

Registrations cancelled prior to 5pm **Eastern April 6, 2011** are subject to a \$100 cancellation fee. Registrations are non-refundable after 5pm **Eastern April 6, 2011**.

HOUSING

RESERVATION CUTOFF FOR ALEC DISCOUNTED RATE IS April 6, 2011

****Save \$50 on registration by booking your hotel room in ALEC's headquarter hotel****

☐ I do not require a reservation at this time.

Arrival Date _____ Departure Date _____

☐ Sharing room with _____

Room type

<input type="checkbox"/> Single	(1 person - 1 bed)	\$ 169
<input type="checkbox"/> Double	(2 persons - 1 bed)	\$ 199
<input type="checkbox"/> Db/Db	(2 persons - 2 beds)	\$ 199
<input type="checkbox"/> Triple	(3 persons - 2 beds)	\$ 229
<input type="checkbox"/> Quad	(4 persons - 2 beds)	\$ 259

Government rate

Not Available

* All rates DO NOT include 17% STATE tax/ CITY OCCUPANCY tax. (subject to change)

Suites and upgraded accommodations are available upon request. Please call (800) 221-3531 for additional information.

Special requests

☐ ADA room required:
____ Audio ____ Visual ____ Mobile
☐ Rollaway / crib: _____
☐ Other: _____

METHOD OF HOUSING RESERVATION

☐ Please use the same method of payment as above.

Credit Card: Credit cards will be used to guarantee the reservation.

☐ Amer Express ☐ Visa ☐ MasterCard ☐ Discover

Card # _____

Cardholder (please print) _____

Exp Date (mm/yy) _____ Security Code _____

Signature _____

Checks: Payment must be in U.S. currency drawn on a U.S. bank. Please make check payable to ALEC and send to above address.

Note: Cutoff for reservations at the ALEC rate is **April 6, 2011**. After **April 6, 2011**, every effort will be made to accommodate new reservations, based on availability and rate.

HOUSING CONFIRMATION INFORMATION

Online reservations will receive immediate email confirmation. Reservations received by form will be confirmed via email, fax, or mail within 72 hours of receipt.

HOUSING CANCELLATION / REFUND INFORMATION

Credit cards will be charged one night room and tax in the event of a no show or if cancellation occurs within 72 hours prior to arrival. Departures prior to the departure date confirmed by the hotel at check-in will result in a charge of early departure fee \$100. Please obtain a cancellation number when your reservation is cancelled.

SPOUSE / GUEST REGISTRATION FORM

Hilton Cincinnati Netherland Plaza -
Cincinnati, OH

April 28-29, 2011



Online
www.alec.org

Fax (credit cards only)
202.331.1344

Phone / Questions • Mon-Fri, 9am-5:30 pm Eastern
202.742.8538

Mail • ALEC Registration & Housing
P.O. Box 96754 • Washington, DC 20090-6754

ATTENDEE INFORMATION IS REQUIRED TO REGISTER A SPOUSE OR GUEST

Prefix (required) ☐ Sen ☐ Rep ☐ Del ☐ Mr ☐ Mrs ☐ Ms ☐ Other _____
Last Name _____ First Name _____ Middle Initial _____ Badge Nickname _____
Title _____
Organization (required) _____
Address _____ Suite # _____
City _____ State/Province _____ Country _____ ZIP/Postal code _____
Daytime phone _____ Fax _____ Alternate phone _____
Email (confirmation will be sent by email) _____

SPOUSE / GUEST REGISTRATION

SPOUSE / GUEST REGISTRATION GUIDELINES

1. Spouse / guest registration is meant to accommodate legal spouse and immediate family members.
2. Attendees from the same organization must register independently. No exception will be made.
3. Spouse / guest designation will be clearly visible on name badge.

Last Name _____ First Name _____ Middle initial _____ Badge Nickname _____
Last Name _____ First Name _____ Middle initial _____ Badge Nickname _____
Last Name _____ First Name _____ Middle initial _____ Badge Nickname _____

	Number of Spouse/Guest(s)	Rate	TOTAL
SPOUSE / GUEST REGISTRATION FEES			
<input type="checkbox"/> Spouse / Guest <i>please note name(s) above</i>	_____	\$ 50	\$ _____

METHOD OF SPOUSE / GUEST REGISTRATION PAYMENT

Credit Card: Credit cards will be charged immediately. Please fax to the above number for processing.

☐ Amer Express Card # _____
☐ Visa Cardholder (please print) _____
☐ MasterCard Exp Date (mm/yy) _____ Security Code _____
Signature _____

Checks: Payment must be in U.S. currency drawn on a U.S. bank. Please make check payable to ALEC Registration and send to above address.

Note: If registering after **April 6, 2011**, please bring completed form and payment to register on-site.

REGISTRATION CONFIRMATION INFORMATION

Online registrants will receive immediate email confirmation to the address provided above. If registering by form, confirmation will be emailed, faxed, or mailed within 72 hours of receipt of payment.

REGISTRATION CANCELLATION / REFUND INFORMATION

Registrations cancelled prior to 5pm Eastern **April 6, 2011**, are subject to a \$100 cancellation fee. Registrations are non-refundable after 5pm Eastern **April 6, 2011**.



American Legislative Exchange Council TASK FORCE OPERATING PROCEDURES

I. MISSION OF TASK FORCES

Assume the primary responsibility for identifying critical issues, developing ALEC policy, and sponsoring educational activities which advance the Jeffersonian principles of free markets, limited government, federalism, and individual liberty. The mission will be accomplished through a non-partisan, public and private partnership between ALEC's legislative and private sector members in the specific subject areas assigned to the Task Force by the Board of Directors.

II. TASK FORCE RESPONSIBILITIES

- A. Task Forces have the primary responsibility for identifying critical issues and developing ALEC's official policy statements and model legislation appropriate to the specific subject areas of the Task Force.
- B. Task Forces serve as forums for an exchange of ideas and sharing of experiences between ALEC's state legislator and private sector members.
- C. Task Forces are responsible for developing and sponsoring the following educational activities appropriate to the specific subject area of the Task Force:
 - publications that express policy positions, including, but not limited to State Factors and Action Alerts;
 - educational communication and correspondence campaigns;
 - issue specific briefings, press conferences and press campaigns;
 - witness testimony and the activities of policy response teams;
 - workshops at ALEC's conferences; and
 - specific focus events.
- D. The Executive Director is to ~~Task Forces are responsible for developing an annual budgets,~~ which shall include expenses associated with Task Force meetings and educational activities. A funding mechanism to finance all meetings and educational activities proposed by Task Forces must be available before they can be undertaken.

III. GENERAL PROCEDURES

- A. Requests from ALEC members for policy statements, model legislation and educational activities shall be directed by the Executive Director to the appropriate Task Force, or the Board of Directors if the issue does not fall within the jurisdiction of any Task Force. The appropriate Public and Private Sector Task Force Co-Chairs determine the agenda for each Task Force meeting, and the meetings will be called and conducted in accordance with these Operating Procedures.

The Director of Policy with the consent of the Executive Director assigns a model bill or resolution to the most appropriate Task Force based on Task Force content and prior jurisdictional history 35 days before a Task Force Meeting. All Task Force Co-Chairs will be provided an email or fax summary of all model bills and resolutions 35 days before the Task Force meeting

If both the Co-Chairs of a Task Force are in agreement that they should have jurisdiction on model legislation or a resolution, the legislation or resolution will be considered by the Task Force. If the other Task Force Co-Chairs believe they should have jurisdiction or if the author of the model bill or resolution does not agree on the jurisdictional assignment of the bill, they will have 10 days after the 35-day mailer deadline to submit in writing or by electronic appeal to the Director of Policy their intent to challenge the jurisdiction assignment. The Director of Policy will notify the Executive Director who will in turn notify the National Chair and the Private Enterprise Board Chair. The National Chair and the Private Enterprise Board Chair will in turn refer the matter in question to the Board of Directors Task Force Board Committee. The Director of Policy will establish a conference call for the Task Force Board Committee co- chairs, the author, the affected Task Force Co-Chairs and the Director of Policy at a time convenient for all participants.

The Task Force Board Committee Co-Chairs shall listen to the jurisdictional dispute by phone or in person within 10 days of the request. If both Task Force Board Committee Co-Chairs are in agreement that the Director of Policy made an incorrect jurisdictional referral, only then will the model bill or resolution be reassigned to a committee as they specify once agreed upon by the National Chair and the Private Enterprise Board Chair. The bill or model resolution is still eligible to be heard in whatever Task Force it is deemed to be assigned to as if submitted to the correct Task Force for the 35-day mailer. The National Chair and the Private Enterprise Board Chair decision is final on this model bill or resolution.

Joint referral of model legislation and/or resolutions are allowed if all the affected Task Force Co-Chairs agree. All model legislation and resolutions that have been referred to, more than one Task Force must pass the identical language in both Task Forces within two consecutive Task Force meetings. It is at the Task Force

Co-Chairs discretion how they will handle the hearings of the model legislation or resolution. Both sets of co-chairs have the ability to call a working group, subcommittee, or simply meet consecutively or concurrently if necessary.

If the Task Force co-chairs both agree to waive jurisdiction, they may do so as long as another Task Force still has jurisdiction.

The National Chair and the Private Sector Board Chair will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Board Chair.

- B. The National Chair and the Private Sector Board Chair will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Board Chair.
- C. The Board of Directors shall have ultimate authority over Task Force procedures and actions including the authority to create, to merge or to disband Task Forces and to review Task Force actions in accordance with these Operating Procedures. Nothing in these Operating Procedures prohibits the Board of Directors from developing ALEC policy; however, such a practice should be utilized only in exceptional circumstances. Before the policy is adopted by the Board of Directors, it should be sent to the Public and Private Sector Task Force Co-Chairs under whose jurisdiction the matter falls for review and comment back to the Board of Directors.
- D. The operating cycle of a Task Force is two years. A new operating cycle begins on January 1 of each odd numbered year and ends on December 31 of the following even numbered year. Task Force activities shall be planned and budgeted on an annual basis within each two-year operating cycle.
- E. ~~At the ALEC Annual Meeting, each Task Force will be responsible for determining an operating budget for the succeeding calendar year. The Executive Director will notify the Task Force Co-Chairs, at the ALEC Annual Meeting, what inflation factor will be used by the Task Force to determine the operating~~

~~and programming budgets. Task Force membership and budget information will be reported to the Executive Director by the Public and Private Sector Task Force Co-Chairs. The Executive Director will present this information to the Board of Directors at its regular fall meeting.~~

- F. If a Task Force is unable to develop an operating budget, the Board of Directors will determine whether to continue the operations of the Task Force. This determination will be made according to: (1) the level of membership on the Task Force, and (2) the need for continued services developed by the Task Force for ALEC.
- G. The Board of Directors shall have the authority to allocate limited general support funds to finance the annual operating budget of Task Forces that meet the requirements prescribed in Section III (E). The Executive Director shall determine, and report to the Board of Directors, the amount of general support funds available to underwrite such Task Forces.

IV. MEMBERSHIP AND MEMBER RESPONSIBILITIES

- A. The membership of a Task Force consists of legislators who are members in good standing of ALEC and are duly appointed to the Task Force, in accordance with Section VI (A) and private sector organizations that are full members of ALEC, contribute to the assessment for the Task Force operating budget, and are duly appointed to the Task Force, in accordance with Section VI (B). Private sector organizations that were full members of ALEC and contributed the assessment for the Task Force's operating budget in the previous year, can be appointed to the Task Force for the current year, conditional upon renewal of full ALEC membership and receipt of the current year's assessment for the Task Force operating budget prior to March 31st, unless an alternative date has been approved by the Executive Director.
- B. Each Task Force shall have least two Co-Chairs; a Public Sector Task Force Co-Chair and a Private Sector Task Force Co-Chair. The Public Sector Task Force Co-Chair must be a member of the Task Force and appointed in accordance with Section VI (A). The Private Sector Co-Chair must represent a private sector member of the Task Force and be appointed in accordance with Section VI(B). The Co-Chairs shall be responsible for:
 - (1) calling the Task Force and the Executive Committee meetings to order, setting the agenda and co-chairing such meetings;
 - (2) appointing and removing legislators and private sector members to and from the Task Force Executive Committee and subcommittees;
 - (3) creating subcommittees, and determining each subcommittee's mission, membership limit, voting rules, deadlines, and term of service; and

- (4) selecting Task Force members to provide support for and against Task Force policies during formal Board reviews.
- C. Each Task Force shall have an Executive Committee appointed by the Public and Private Sector Task Force Co-Chairs that is appropriate in number to carry out the work product and strategic plan of ALEC and the Task Force. The Executive Committee shall consist of the Public Sector Task Force Co-chair, the Private Sector Task Force Co-Chair, the subcommittee co-chairs, and the remainder will be an equal number of legislative and private sector Task Force members. The Executive Committee will be responsible for determining the operating budget and proposing plans, programs and budgets for the succeeding year in accordance with (Section V (B); determining if a proposed educational activity conforms to a previously approved model bill, resolution or policy statement in accordance with (Section IX (F); and determining if an emergency situation exists that justifies waiving or reducing appropriate time limits in accordance with (Section VIII (H)).
- D. Each Task Force may have any number of subcommittees, consisting of Task Force members and advisors to focus on specific areas and issues and make policy recommendations to the Task Force. The Task Force Co-chairs, shall create subcommittees and determine each subcommittee's mission, membership limit, voting rules, deadlines, and term of service. Any model bill, resolution or policy statement approved by a subcommittee must be approved by the Task Force before it can be considered official ALEC policy.
- E. Each Task Force may have advisors, appointed in accordance with Section VI (G). Advisors shall assist the members and staff of the Task Force. They shall be identified as advisors on official Task Force rosters, included in all official Task Force mailings and invited to all Task Force meetings. Advisors may also have their expenses paid at Task Force meetings covered by the Task Force operating budget with the approval of the Task Force Co-Chairs. An advisor cannot be designated as the primary contact of a private sector Task Force member, cannot be designated to represent a private sector Task Force member at a Task Force, Executive Committee, or subcommittee meeting, and cannot offer or vote on any motion at a Task Force, Executive Committee, or subcommittee meeting.

V. Task Force Budgets

- A. Each Task Force shall develop and operate a yearly budget to fund meetings.
- B. The operating budget shall be used primarily to cover expenses for Task Force meetings, unless specific funds within the budget are authorized for other use by the Task Force. The operating budget shall be assessed equally among the private sector members of the Task Force. The Executive Director, in consultation with the Task Force Co-Chairs shall determine which costs associated with each meeting will be reimbursed from the operating budget. Any funds remaining in a

Task Force's operating budget at the end of a year are transferred to ALEC's general membership account.

- C. The operating budget shall not be used to cover Task Force meeting expenses associated with alternate task force members' participation, unless they are appointed by their State Chair to attend the Spring Task Force Summit with the purpose to serve in place of a Task Force Member who is unable to attend. Task Force meeting expenses of alternate task force members shall be covered by their state's scholarship account.
- D. The programming budget shall be used to cover costs associated with educational activities. Contributions to the programming budget are separate, and in addition to operating budget contributions and annual general support/membership contributions to ALEC. The Executive Director shall determine the contribution required for each educational activity.

VI. PROCESS FOR SELECTING TASK FORCE MEMBERS, CHAIRS, COMMITTEES AND ADVISORS

- A. Prior to February 1 of each odd-numbered year, the current and immediate past National chairman will jointly select and appoint in writing three legislative members and three alternates to the Task Force who will serve for the current operating cycle, after receiving nominations from ALEC's Public and Private State Chairs, the Executive Director and the ALEC Public and Private Sector members of the Board. At any time during the year, the National Chairman may appoint in writing new legislator members to each Task Force, except that no more than three legislators from each state may serve as members of any Task Force, no legislator may serve on more than one Task Force and the appointment cannot be made earlier than thirty days after the new member has been nominated. In an effort to ensure the nonpartisan nature of each Task Force, it is recommended that no more than two legislators of any one political party from the same state be appointed to serve as members of any Task Force. A preference will be given to those ALEC legislator members who serve on or chair the respective Committee in their state legislature. A preference will be given to legislators who sponsor ALEC Task Force model legislation in the state legislature.
- B. Prior to January 10 of each odd-numbered year, the current and immediate past National Chairman will jointly select and appoint in writing the Task Force Chair who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Chair and may be placed in rank order prior to transmittal to the Executive Director no later than December 1 of each even-numbered year. No more than five names may be submitted in nomination by the outgoing Task Force chair. The current and immediate past National Chairmen will jointly make the final selection, but

should give strong weight to the recommendations of the outgoing Task Force Chair. In an effort to empower as many ALEC leaders as possible, State Chairs and members of the Board of Directors will not be selected as Task Force Chairs. Task Force Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past National Chairmen may reappoint a Task Force Chair to a second operating cycle term.

- C. Prior to February 1 of each odd numbered year, the Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members of the Task Force Executive Committee, who will serve for the current operating cycle. The Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members and advisors to any subcommittee.
- D. Prior to February 1 of each year, the Private Enterprise Board Chair and the immediate past Private Enterprise Board Chair will select and appoint in writing the private sector members to the Task Force who will serve for the current year. The appointment letter shall be mailed to the individual designated as the primary contact for the private sector entity. At any time during the year, the Chair of the Private Enterprise Board may appoint in writing new private sector members to each Task Force, but no earlier than thirty days after the new member has qualified for full membership in ALEC and contributed the assessment for the appropriate Task Force's operating budget.
- E. Prior to January 10 of each odd-numbered year, the Chair of the Private Enterprise Board and the immediate past Private Enterprise Board Chair will select and appoint in writing the Task Force Private Sector Co-Chair who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Private Sector Chair and may be placed in rank order prior to transmittal to the Chair of the Private Enterprise Board. The Chair and the immediate past Chair of the Private Enterprise Board will make the final selection, but should give strong weight to the recommendations of the outgoing Private Sector Task Force Co-Chair. In an effort to empower as many ALEC private sector members as possible, Private Enterprise State Chairs and members of the Private Enterprise Board will not be selected as Private Sector Task Force Co-Chairs. Private Sector Task Force Co-Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past Chair of the Private Enterprise Board may reappoint a Task Force Private Sector Chair to a second operating cycle term.
- F. Prior to February 1 of each odd-numbered year, the Task Force Private Sector Co-Chair will select and appoint in writing the private sector members of the Task Force Executive Committee, who will serve for the current operating cycle. The Task Force Private Sector Co-Chair shall select and appoint in writing the private sector members of any subcommittees.

- G. The Public and Private Sector Task Force Co-Chairs, may jointly appoint subject matter experts to serve as advisors to the Task Force. The National Chair and the Private Enterprise Board Chair may also jointly recommend to the Task Force Co-Chairs subject matter experts to serve as advisors to the Task Force.

VII. REMOVAL AND VACANCIES

- A. The National Chair may remove any Public Sector Task Force Co-Chair from his position and any legislative member from a Task Force with or without cause. Such action will not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive Task Force meetings.
- B. The Public Sector Task Force Co-Chair may remove any legislative member of an Executive Committee or subcommittee from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive meetings.
- C. The Chairman of the Private Enterprise Board may remove any Private Sector Task Force Co-Chair from his position and any private sector member from a Task Force with cause. Such action shall not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues. .
- D. The Private Sector Task Force Co-Chair may remove any private sector member of an Executive Committee or subcommittee from his position with cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues.
- E. The Public and Private Sector Task Force Co-Chairs may remove an advisor from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such advisor whose removal is proposed.
- F. Any member or advisor may resign from his position as Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, public or private sector Task Force member, Task Force advisor, Executive Committee member or subcommittee member at any time by writing a letter to that effect to the Public Sector and Private Sector Task Force Co-Chairs. The letter should specify the effective date of the resignation, and if none is specified, the effective date shall be the date on which the letter is received by the Public and Private Task Force Co-Chairs.

- G. All vacancies for Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, Executive Committee member and subcommittee member shall be filled in the same manner in which selections are made under Section VI. All vacancies to these positions must be filled within thirty days of the effective date of the vacancy.

VIII. MEETINGS

- A. Task Force meetings shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs. Task Force meetings cannot be held any earlier than thirty-five days after being called, unless an emergency situation has been declared pursuant to Section VIII(H), in which case Task Force meetings cannot be held any earlier than ten days after being called. It is recommended that, at least once a year, the Task Forces convene in a common location for a joint Task Force Summit. Executive Committee meetings shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs and cannot be held any earlier than three days after being called, unless the Executive Committee waives this requirement by unanimous consent.
- B. At least forty-five days prior to a task force meeting any model bill, resolution or policy must be submitted to ALEC staff that will be voted on at the meeting. At least thirty-five days prior to a Task Force meeting, ALEC staff shall distribute copies of any model bill, resolution or policy statement that will be voted on at that meeting. This requirement does not prohibit modification or amendment of a model bill, resolution or policy statement at the meeting. This requirement may be waived if an emergency situation has been declared pursuant to Section VIII(H).
- C. All Task Force meetings are open to registered attendees and invited guests of ALEC meetings and conferences. Only regular Task Force Members may introduce any resolution, policy statement or model bill. Only Task Force members will be allowed to participate in the Task Force meeting discussions and be seated at the table during Task Force meetings, unless otherwise permitted by the Public and Private Sector Task Force Co-Chairs.
- D. ALEC private sector member organizations may only be represented at Task Force and Executive Committee meetings by the individual addressed in the appointment letter sent pursuant to Section VI(D) or a designee of the private sector member. If someone other than the individual addressed in the appointment letter is designated to represent the private sector member, the designation must be submitted in writing to the Public and Private Sector Task Force Co-Chairs before the meeting, and the individual cannot represent any other private sector member at the meeting.

- E. All Task Force and Executive Committee meetings shall be conducted under the guidelines of Roberts Rules of Order, except as otherwise provided in these Operating Procedures. A copy of the Task Force Operating Procedures shall be included in the briefing packages sent to the Task Force members prior to each meeting.
- F. A majority vote of legislative members present and voting and a majority vote of the private sector members present and voting, polled separately, are required to approve any motion offered at a Task Force or Executive Committee meeting. A vote on a motion to reconsider would be only with the sector that made the motion. Members have the right, in a voice vote, to abstain and to vote present by roll-call vote. In all votes a member can change their vote up until the time that the result of the vote is announced. Only duly appointed members or their designee as stated in Section VIII (D) that are present at the meeting may vote on each motion. No proxy, absentee or advance voting is allowed.
- G. The Public Sector Task Force Co-Chair and the Private Sector Task Force Co-Chair, with the concurrence of a majority of the Executive Committee, polled in accordance with Section VIII (F), may schedule a Task Force vote by mail or ~~fax~~ any form of electronic communication on any action pertaining to policy statements, model legislation or educational activity. The deadline for the receipt of votes can be no earlier than thirty-five days after notification of the vote is mailed or ~~faxed~~ notified by any form of electronic communication, unless an emergency situation is declared pursuant to Section VIII (H), in which case the deadline can be no earlier than ten days after notification is mailed or ~~faxed~~ notified by any form of electronic communication. Such votes are exempt from all rules in Section VIII, except: (1) the requirement that copies of model legislation and policy statements be mailed or ~~faxed~~ notified by any form of electronic communication with the notification of the vote and (2) the requirement that a majority of legislative members voting and a majority of the private sector members voting, polled separately, is required to approve any action by a Task Force.
- H. For purposes of Sections VIII(A), (B) and (G), an emergency situation can be declared by:
 - (1) Unanimous vote of all members of the Task Force Executive Committee present at an Executive Committee meeting prior to the meeting at which the Task Force votes on the model bill, resolution or policy statement; or
 - (2) At least three-fourth majority vote of the legislative and private sector Task Force members (voting in accordance with Section VIII (F)) present at the meeting at which the members vote on the model bill, resolution or policy statement.

- I. Ten Task Force members shall constitute a quorum for a Task Force meeting. One-half of the legislative and one-half of the private sector members of an Executive Committee shall constitute a quorum for an Executive Committee meeting.

IX. ***REVIEW AND ADOPTION PROCEDURES***

- A. All Task Force policy statements, model bills or resolutions shall become ALEC policy either: (1) upon adoption by the Task Force and affirmation by the Board of Directors or (2) thirty days after adoption by the Task Force if no member of the Board of Directors requests, within those thirty days, a formal review by the Board of Directors. General information about the adoption of a policy position may be announced upon adoption by the Task Force.
- B. The Executive Director shall notify the Board of Directors of the approval by a Task Force of any policy statement, model bill or resolution within ten days of such approval. Members of the Board of Directors shall have thirty days from the date of Task Force approval to review any new policy statement, model bill or resolution prior to adoption as official ALEC policy. Within those thirty days, any member of the Board of Directors may request that the policy be formally reviewed by the Board of Directors before the policy is adopted as official ALEC policy.
- C. A member of the Board of Directors may request a formal review by the Board of Directors. The request must be in writing and must state the cause for such action and a copy of the letter requesting the review shall be sent by the National Chairman to the appropriate Task Force Chair. The National Chairman shall schedule a formal review by the Board of Directors no later than the next scheduled Board of Directors meeting.
- D. The review process will consist of key members of the Task Force, appointed by the Task Force Chair, providing the support for and opposition to the Task Force position. Position papers may be faxed or otherwise quickly transmitted to the members of the Board of Directors. The following is the review and adoption procedures:
 - Notification of Committee: Staff will notify Task Force Chairs and the entire task force when the Board requests to review one of the Task Forces' model bills or resolutions.
 - Staff Analysis: Will be prepared in a neutral fashion. The analyses will include:
 - History of Task Force action
 - Previous ALEC official action/resolutions
 - Issue before the board
 - Proponents arguments

- Opponents arguments
- Standardized Review Format: To ensure fairness, a set procedure will be used as the format to ensure the model bill/resolution has a fair hearing before the Board.
 - Task Force Chair(s) will be invited to attend the Board Review
 - Task Force Chair(s) will decide who will present in support and in opposition for the model bill/resolution before the Board.
 - Twenty minutes that is equally divided will be given for both sides to present before the Board.
 - It is suggested that the Board not take more than twenty minutes to ask questions of the presenters.
 - Presenters will then be excused and the Board will have a suggested twenty more minutes for discussion and vote.
 - All votes will be recorded for the official record.
- Notification of Committee: The Director of Policy will notify presenters immediately after the vote. If the Board votes to send the model bill/resolution back to the task force, the Board will instruct the Director of Policy or another board member what to communicate.

E. The Board of Directors can:

- (1) Vote to affirm the policy or affirm the policy by taking no action, or
- (2) Vote to disapprove the policy, or
- (3) Vote to return the policy to the Task Force for further consideration providing reasons therefore.

F. Task Forces may only undertake educational activities that are based on a policy statement, model bill or resolution that has been adopted as official ALEC policy, unless the Task Force votes to undertake the educational activity, in which case the educational activity is subjected to the same review process outlined in this Section. It is the responsibility of the Task Force Executive Committee to affirm by three-fourths majority vote conducted in accordance with Section VIII that an educational activity conforms to a policy statement, model bill or resolution.

X. EXCEPTIONS TO THE TASK FORCE OPERATING PROCEDURES.

Exceptions to these Task Force Operating Procedures must be approved by the Board of Directors.